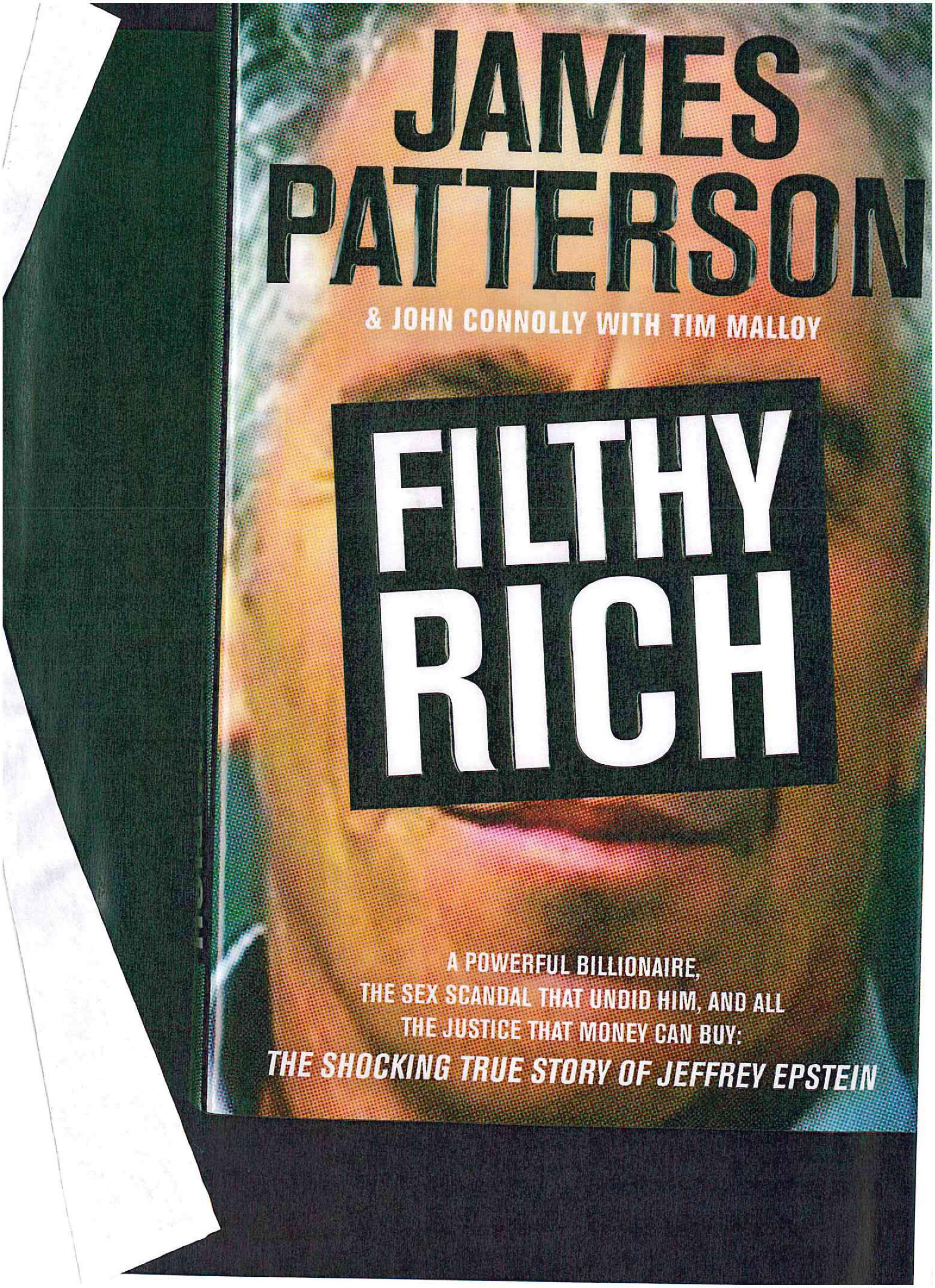

JAMES
PATTERSON

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A POWERFUL BILLIONAIRE,
THE SEX SCANDAL THAT UNDID HIM, AND ALL
THE JUSTICE THAT MONEY CAN BUY:
THE SHOCKING TRUE STORY OF JEFFREY EPSTEIN

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estigation had taken place, that
But, at that time, no criminal
irs had been launched. And in
the rumors of Epstein's dealings
l to be just that—rumors.
his lawyers, his editors, and his
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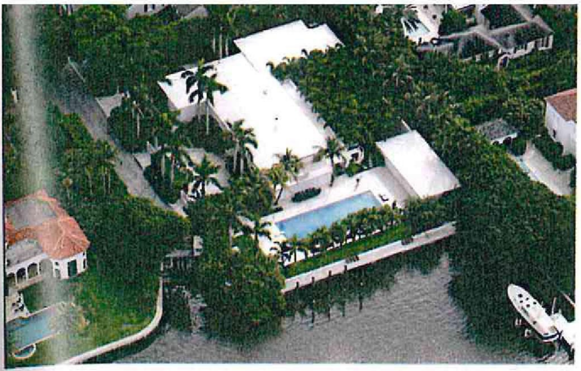
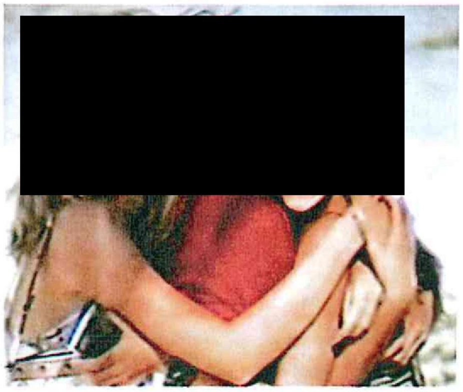
n in Times Square.

to the office early. He swiped his
the elevator button, and arrived in
ion area on the twenty-first floor.
ct time to review Ward's story.
n's town house—which is said to
residence in New York City at the
e, amid the flurry of menservants
and pristine white gloves, you feel
eone's private Xanadu," she'd writ-
person's home, but a high-walled,
that seems to have no boundaries.
ed not with paintings but with row
amed eyeballs; these, the owner tells
nported from England, where they
ers. Next comes a marble foyer, which
e manner of Jean Dubuffet . . . but the
visitors who painted it. In any case,



Epstein's Palm Beach property, 358 El Brillo Way *(© Chris Bott / Splash News / Corbis)*



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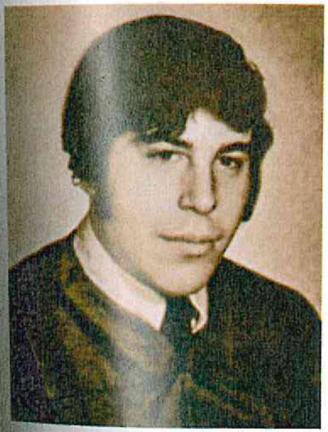
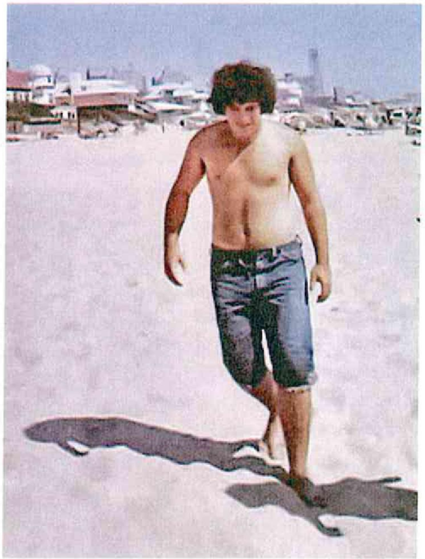
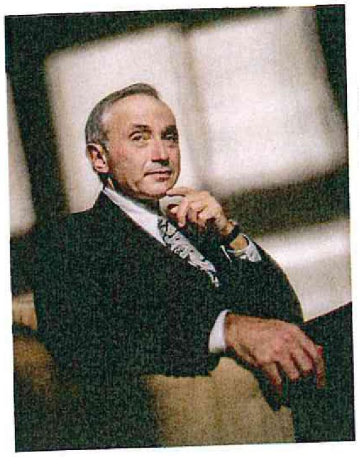
One of the photographs captured on video during the Palm Beach Police Department search warrant walk-through of Epstein's El Brillo Way residence *(Palm Beach Police Department)*



Jeffrey Epstein's 1969 high school yearbook photo *(Lafayette High School, Brooklyn, New York, 1969)*

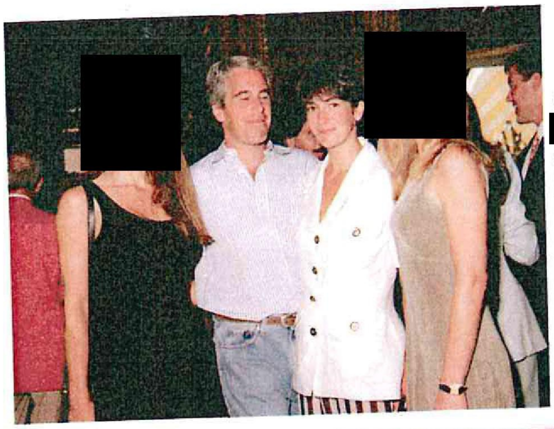


Jeffrey Epstein, Coney Island, circa 1969 *(Anonymous)*



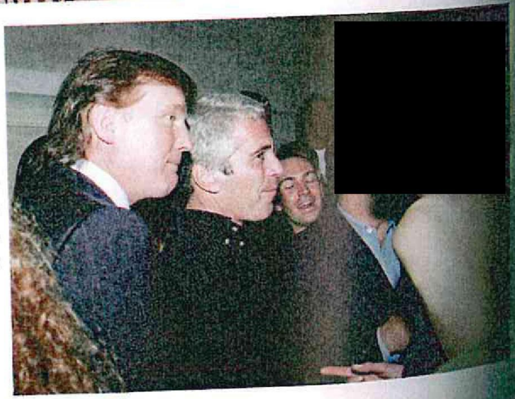
Leslie Wexner, photographed at his home in New York City, 1989 *(© Lynn Goldsmith)*

(L to R) Jeffrey Epstein, Ghislaine Maxwell, and Tony Randall, who presided over a November 1991 YIVO Institute event at the Plaza Hotel to honor the late Robert Maxwell *(Marina Garnier)*



[redacted] [redacted]

(L to R) [redacted] [redacted], Jeffrey Epstein, Ghislaine Maxwell, and [redacted] attend a reception at Mar-a-Lago, 1995. *(Davidoff Studios)*



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Jeffrey Epstein, Donald Trump, and (newly signed Trump Model) [redacted] [redacted], attending the Victoria's Secret Angels party at Laura Belle club in New York City on April 8, 1997 *(Marina Garnier)*

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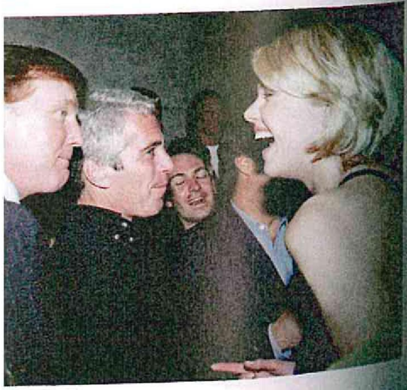
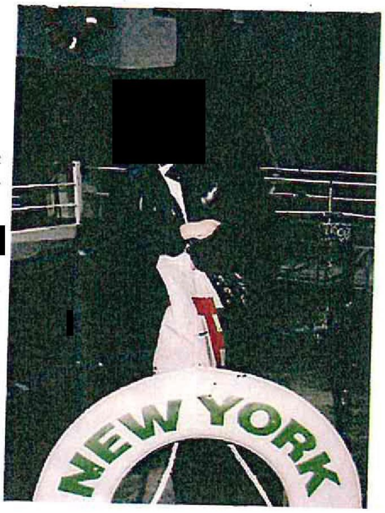


[redacted], age fifteen; photo reportedly taken by Jeffrey Epstein in New York City ([redacted] [redacted] *Affidavit, US District Southern Court of Florida)*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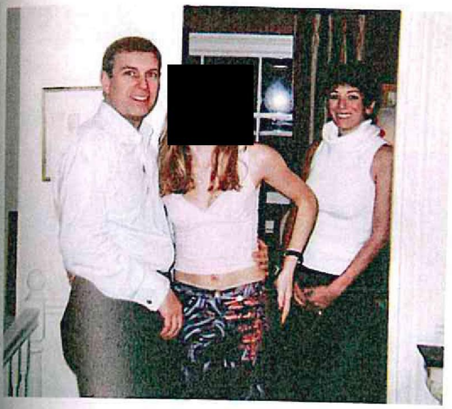
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(L to R) Prince Andrew, [redacted] and Ghislaine Maxwell; photo reportedly taken by Epstein with [redacted] camera in Maxwell's London town house. [redacted] was seventeen years old at this time. ([redacted] *Affidavit, US District Southern Court of Florida)*

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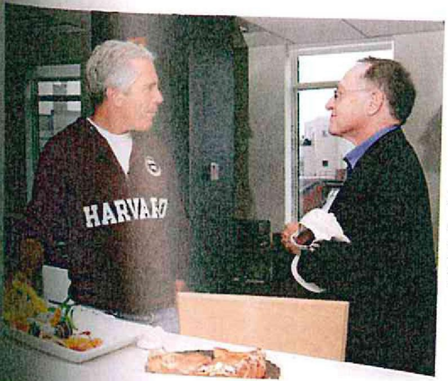
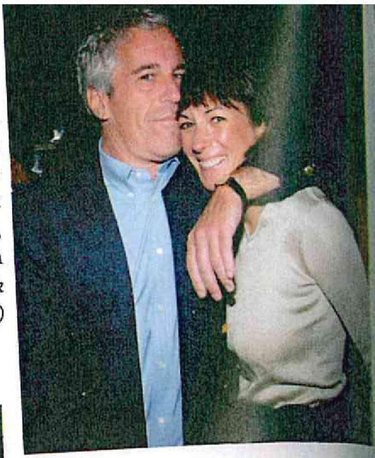


Jeffrey Epstein with Professor Alan Dershowitz in Cambridge, MA, September 8, 2004 *(© Rick Friedman / Corbis)*



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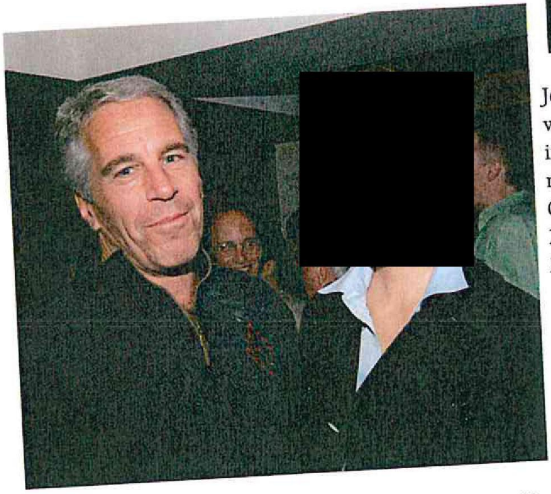

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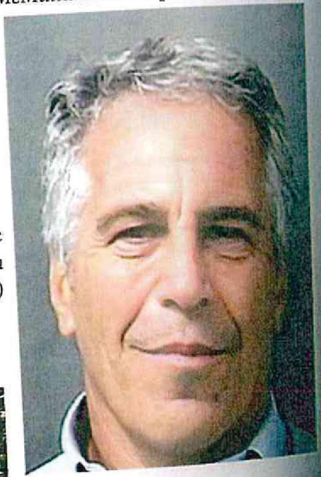
Jeffrey Epstein, photographed with [redacted] attending the launch of *Radar* magazine held at the Hotel QT in New York City, May 2005 *(Neil Rasmus / Patrick-McMullan.com / Sipa Press)*



2008 Palm Beach County Sheriff's Office booking photo of Jeffrey Epstein *(Palm Beach County Sheriff's Office)*

The Stockade, where Epstein served his sentence, photographed here in 2006, was located at 673 Fairgrounds Road in West Palm Beach, Florida. At the time, it was used as a minimum- and medium-security facility housing women and juveniles, as well as male inmates on a work-release program. *(Smith Aerial Photos)*

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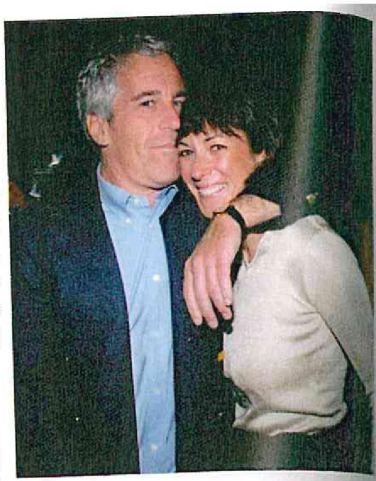

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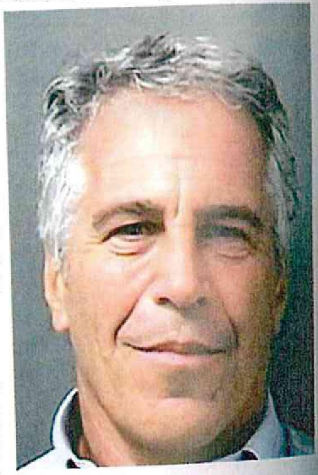

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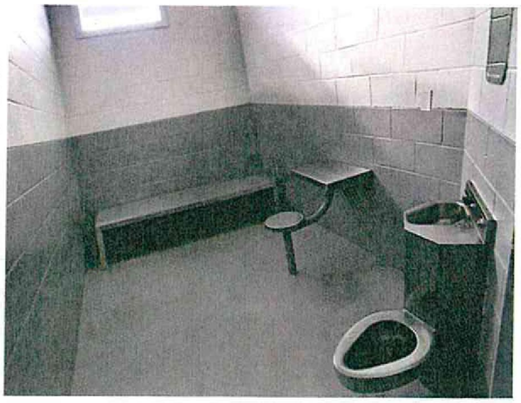
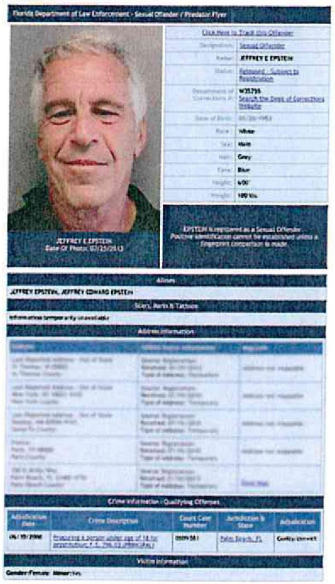


Epstein pleaded guilty to state solicitation charges and served thirteen months of an eighteen-month sentence, with liberal work-release privileges, in a solitary cell at the Palm Beach County Stockade similar to the one pictured here. *(Courtesy CDC Special Management, Palm Beach Sheriff's Office)*

Epstein and lawyer at the West Palm Beach courthouse in June 2008 to enter a plea nearly two years after being charged *(Uma Sanghvi / The Palm Beach Post / ZUMAPRESS.com)*



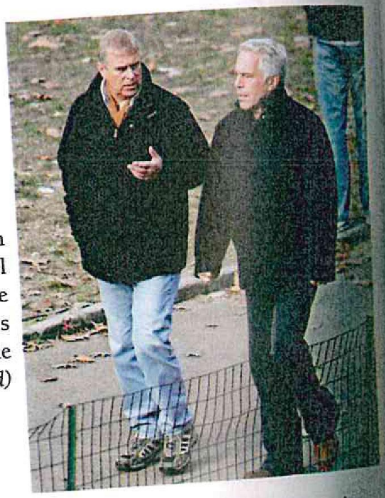
Jeffrey Epstein's entry in the National Sex Offender Registry *(National Sex Offender Registry)*

Epstein's Little Saint James island, U.S. Virgin Islands: a privately owned cay (nicknamed Little Saint Jeff's) whose owner locals affectionately refer to as Richie Rich *(© Chris Bott / Splash News / Corbis)*

Epstein's Gulfstream, photographed on Little Saint James island in the U.S. Virgin Islands, January 2015 *(© Chris Bott / Splash News / Corbis)*

Epstein's longtime pilot, Larry Visoski, was at the controls as Epstein's Gulfstream left Teterboro Airport in New Jersey, January 2016. *(Jae Donnelly)*

When Prince Andrew and Epstein were seen strolling together through New York's Central Park in 2011, shortly after Epstein's release from jail, the duke was forced to quit his role as the British government's global trade envoy. *(Jae Donnelly / News of the World)*



Stephen Hawking, photographed in March 2006 aboard an Atlantis submarine that was custom-fitted by Epstein to accommodate his wheelchair. Hawking was attending the conference "Confronting Gravity," "a workshop to explore fundamental questions in physics and cosmology," sponsored by the J. Epstein VI Foundation and the Center for Education and Research in Cosmology and Astrophysics (CERCA) at Case Western Reserve University, at the Ritz-Carlton, St. Thomas, USVI. *(Courtesy CERCA, Case Western University)*

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Epstein's longtime pilot, Larry Visoski, was at the controls as Epstein's Gulfstream left Teterboro Airport in New Jersey, January 2016. *(Jae Donnelly)*

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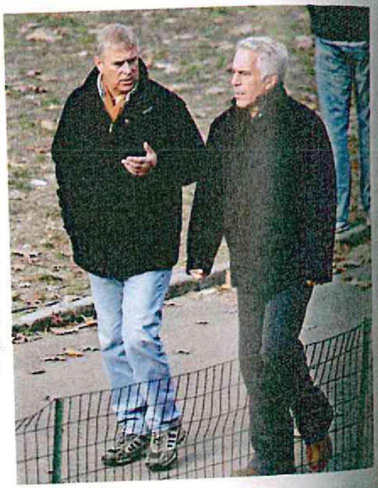

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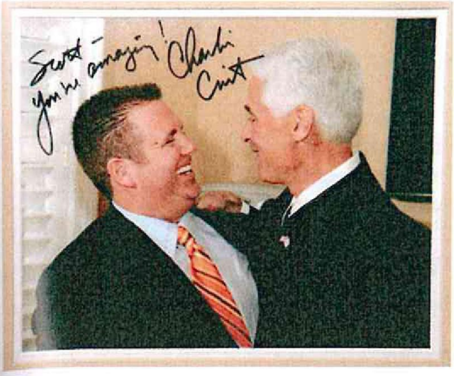
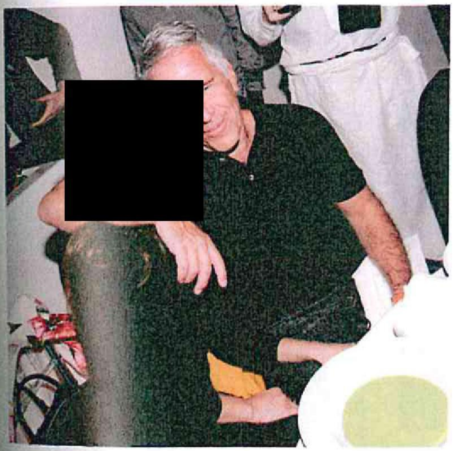


A framed photo of Florida governor Charlie Crist and Scott Rothstein in Rothstein's office in Fort Lauderdale, autographed by Charlie Crist: *Scott— You are amazing! Charlie Crist* *(Carline Jean © Sun Sentinel / ZUMA-PRESS.com)*

Epstein's current residence, the storied building formerly known as the Herbert N. Straus Mansion, on East 71st Street just off Central Park, was acquired by Leslie Wexner in 1989. *(Laura Hanifin)*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Epstein, a longtime benefactor, with an unidentified friend, attended the 2014 New York Academy of Art's Tribeca Ball, presented by Van Cleef & Arpels, at the New York Academy of Art on April 7, 2014, in New York City. *(Billy Farrell / BFAnyc.com)*

[redacted] photographed at the New York Academy of Art's Tribeca Ball, April 14, 2004 *(Rob Rich / SocietyAllure.com)*

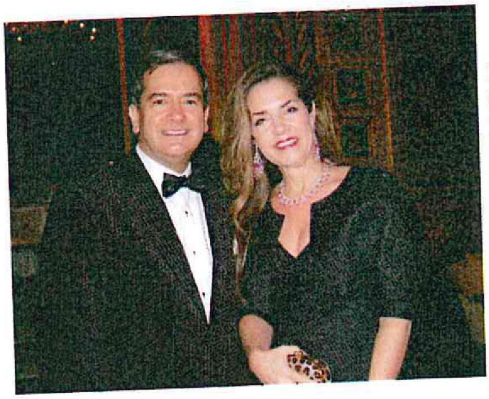
[redacted] [redacted] [redacted] [redacted]

[redacted]

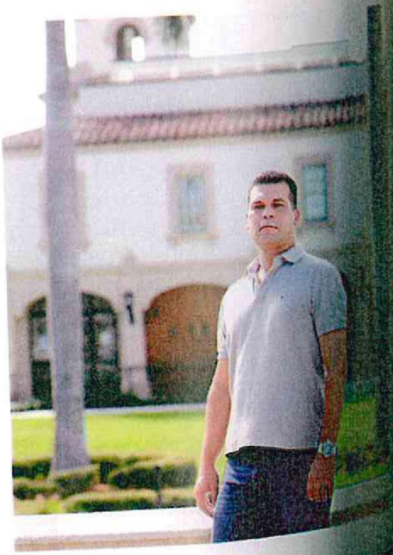
[redacted] and husband, NASCAR driver Brian Vickers, arrive on the red carpet at the 141st running of the Kentucky Derby at Churchill Downs in Louisville, Kentucky. *(Jeff Moreland / Icon Sportswire via AP Images)*

Good flight!

[redacted] and Larry Visoski, Epstein's personal pilot, in what appears to be the cockpit of a Gulfstream G-II *(YouTube)*



Michael and Janet Reiter at the Palm Beach Police Foundation Policemen's Ball at Mar-a-Lago, January 2012 *(Debbie Schatz / Palm Beach Daily News / ZUMAPRESS.com)*



Retired Palm Beach police detective Joe Recarey, November 2013 *(Meghan McCarthy / Palm Beach Daily News / ZUMAPRESS.com)*

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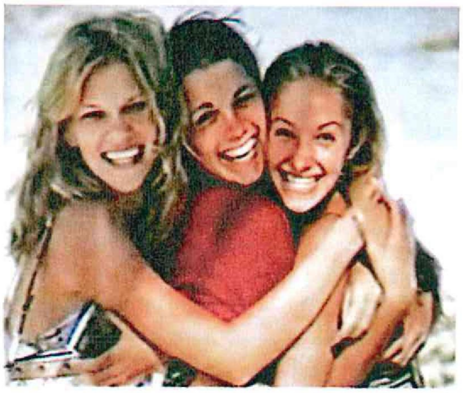
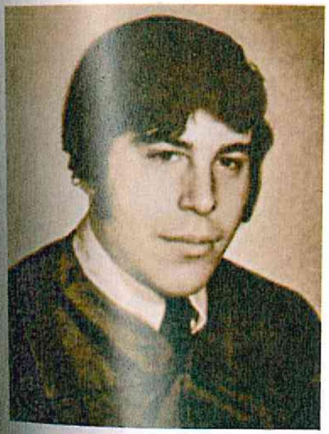
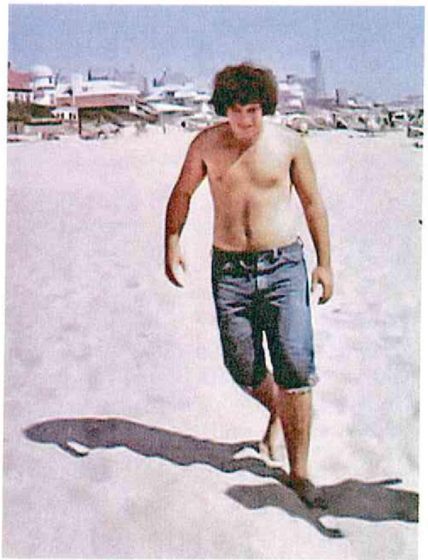
Epstein's Palm Beach property, 358 El Brillo Way *(© Chris Bott / Splash News / Corbis)*



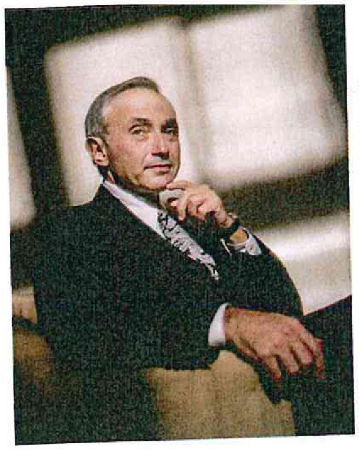
One of the photographs captured on video during the Palm Beach Police Department search warrant walk-through of Epstein's El Brillo Way residence *(Palm Beach Police Department)*



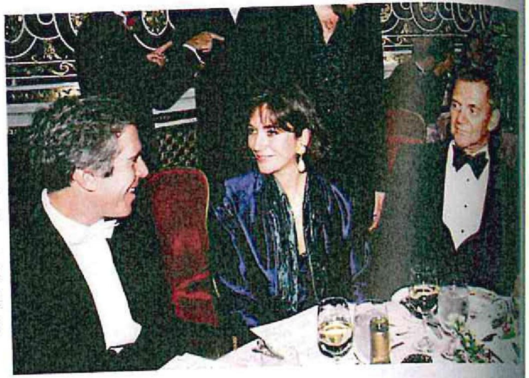
Jeffrey Epstein's 1969 high school yearbook photo *(Lafayette High School, Brooklyn, New York, 1969)*



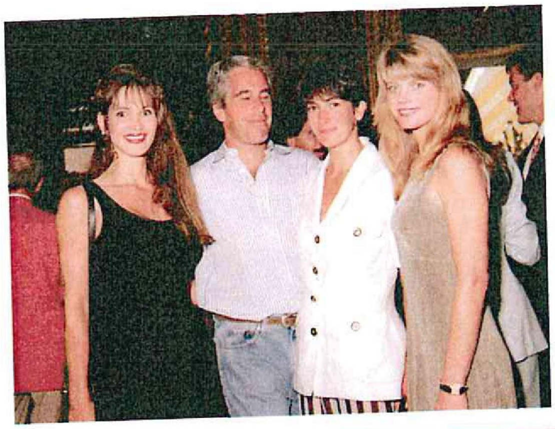
Jeffrey Epstein, Coney Island, circa 1969 *(Anonymous)*



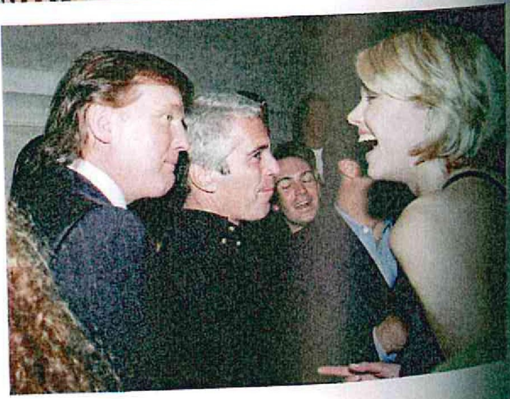
Leslie Wexner, photographed at his home in New York City, 1989 *(© Lynn Goldsmith)*



(L to R) Jeffrey Epstein, Ghislaine Maxwell, and Tony Randall, who presided over a November 1991 YIVO Institute event at the Plaza Hotel to honor the late Robert Maxwell *(Marina Garnier)*



(L to R) Deborah Blohm, Jeffrey Epstein, Ghislaine Maxwell, and Gwendolyn Beck attend a reception at Mar-a-Lago, 1995. *(Davidoff Studios)*



Jeffrey Epstein, Donald Trump, and (newly signed Trump Model) Ingrid Seynhaeve, attending the Victoria's Secret Angels party at Laura Belle club in New York City on April 8, 1997 *(Marina Garnier)*

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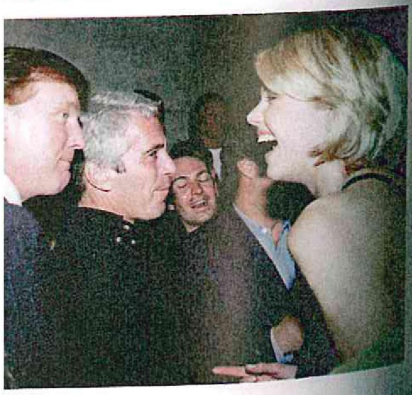
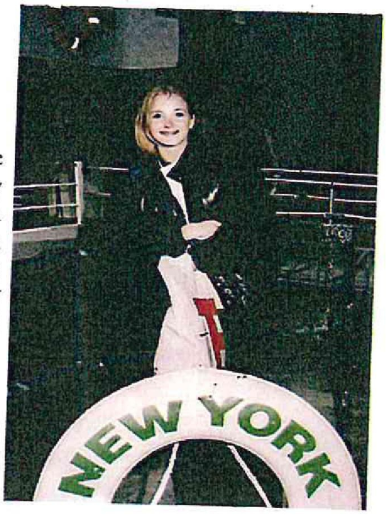
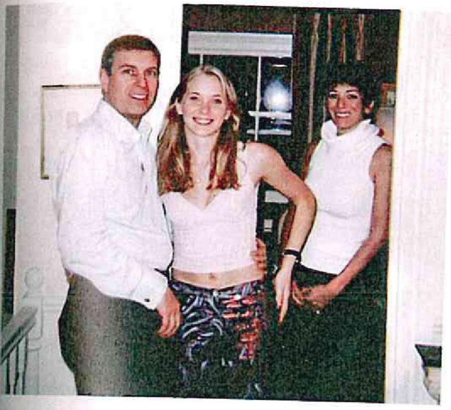


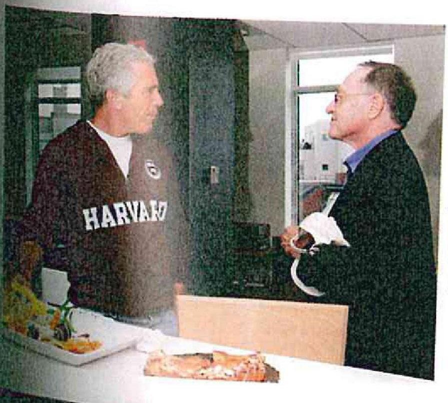
Virginia Roberts, age fifteen; photo reportedly taken by Jeffrey Epstein in New York City *(Virginia Roberts Affidavit, US District Southern Court of Florida)*



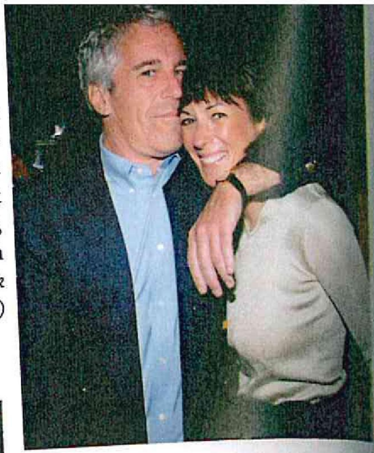


(L to R) Prince Andrew, Virginia Roberts, and Ghislaine Maxwell; photo reportedly taken by Epstein with Roberts's camera in Maxwell's London town house. Roberts was seventeen years old at this time. *(Virginia Roberts Affidavit, US District Southern Court of Florida)*

Virginia Roberts, age seventeen; photo reportedly taken by Jeffrey Epstein at Zorro Ranch, his New Mexico property, in winter *(Virginia Roberts Affidavit, US District Southern Court of Florida)*



Jeffrey Epstein with Professor Alan Dershowitz in Cambridge, MA, September 8, 2004 *(© Rick Friedman / Corbis)*



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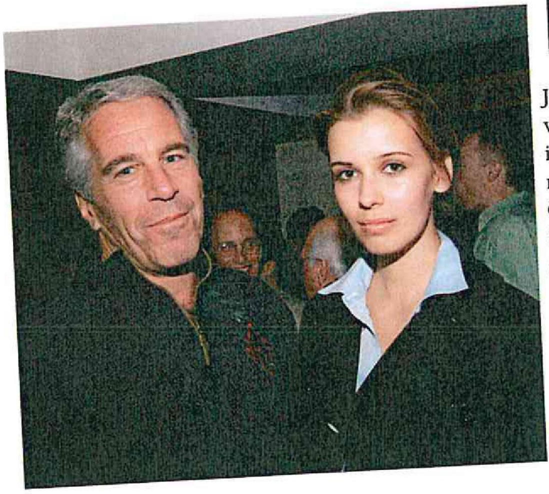
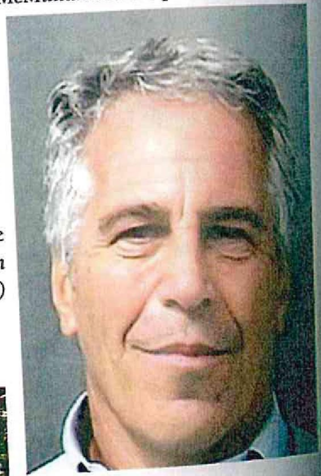


Jeffrey Epstein, photographed with Adrianna Ross, attending the launch of *Radar* magazine held at the Hotel QT in New York City, May 2005 *(Neil Rasmus / Patrick-McMullan.com / Sipa Press)*



2008 Palm Beach County Sheriff's Office booking photo of Jeffrey Epstein *(Palm Beach County Sheriff's Office)*

The Stockade, where Epstein served his sentence, photographed here in 2006, was located at 673 Fairgrounds Road in West Palm Beach, Florida. At the time, it was used as a minimum- and medium-security facility housing women and juveniles, as well as male inmates on a work-release program. *(Smith Aerial Photos)*

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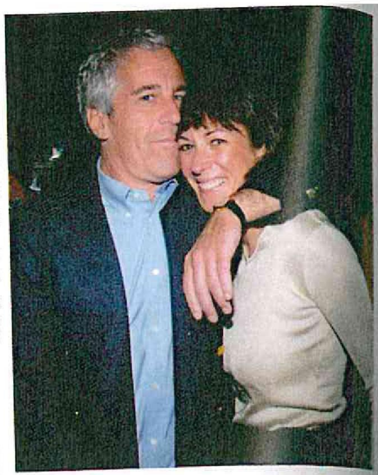
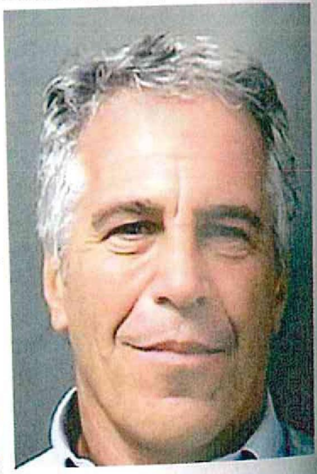


Jeffrey Epstein, photographed with Adrianna Ross, attending the launch of *Radar* magazine held at the Hotel QT in New York City, May 2005 *(Neil Rasmus / Patrick-McMullan.com / Sipa Press)*



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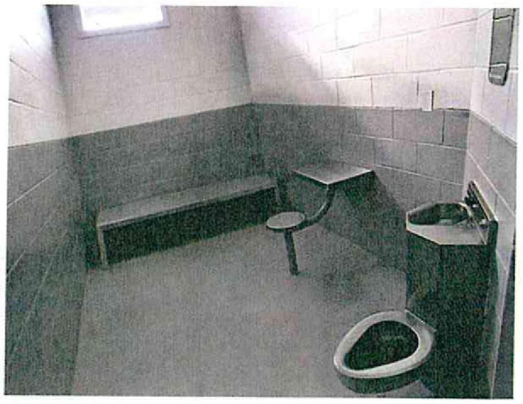
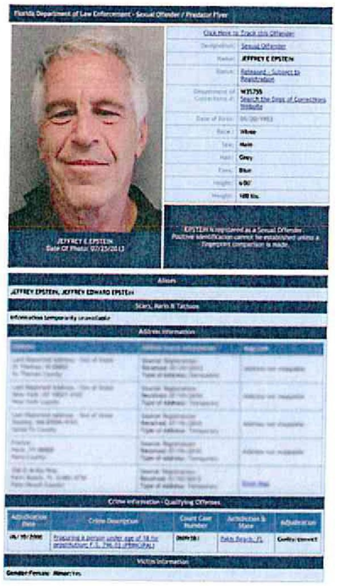
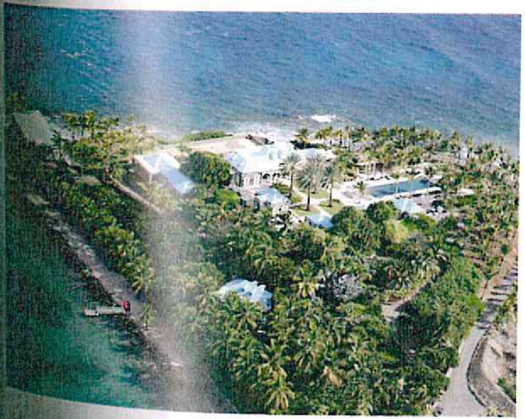


Epstein and lawyer at the West Palm Beach courthouse in June 2008 to enter a plea nearly two years after being charged *(Uma Sanghvi / The Palm Beach Post / ZUMAPRESS.com)*



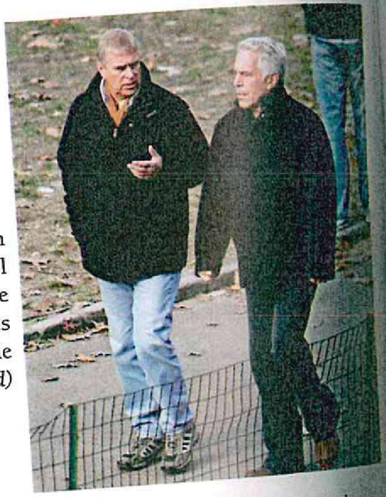
Jeffrey Epstein's entry in the National Sex Offender Registry *(National Sex Offender Registry)*



Epstein's Little Saint James island, U.S. Virgin Islands: a privately owned cay (nicknamed Little Saint Jeff's) whose owner locals affectionately refer to as Richie Rich *(© Chris Bott / Splash News / Corbis)*

Epstein's Gulfstream, photographed on Little Saint James island in the U.S. Virgin Islands, January 2015 (© *Chris Bott / Splash News / Corbis*)

Epstein's longtime pilot, Larry Visoski, was at the controls as Epstein's Gulfstream left Teterboro Airport in New Jersey, January 2016. (*Jae Donnelly*)



When Prince Andrew and Epstein were seen strolling together through New York's Central Park in 2011, shortly after Epstein's release from jail, the duke was forced to quit his role as the British government's global trade envoy. (*Jae Donnelly / News of the World*)

Stephen Hawking, photographed in March 2006 aboard an Atlantis submarine that was custom-fitted by Epstein to accommodate his wheelchair. Hawking was attending the conference "Confronting Gravity," "a workshop to explore fundamental questions in physics and cosmology," sponsored by the J. Epstein VI Foundation and the Center for Education and Research in Cosmology and Astrophysics (CERCA) at Case Western Reserve University, at the Ritz-Carlton, St. Thomas, USVI. (*Courtesy CERCA, Case Western University*)

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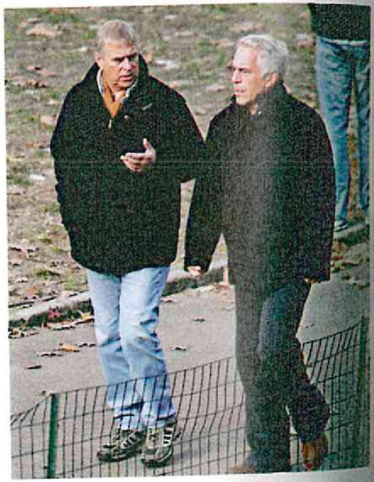
Epstein's longtime pilot, Larry Visoski, was at the controls as Epstein's Gulfstream left Teterboro Airport in New Jersey, January 2016. *(Jae Donnelly)*



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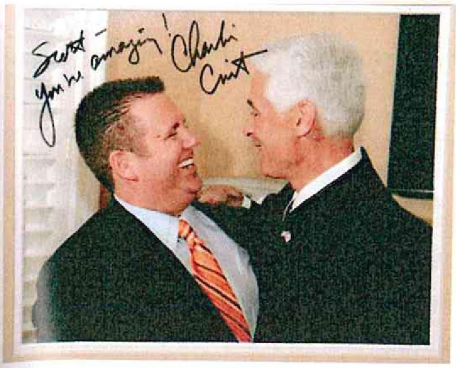
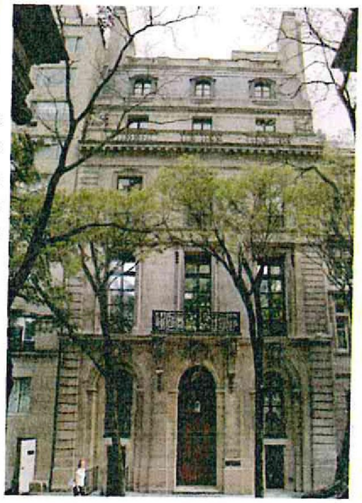
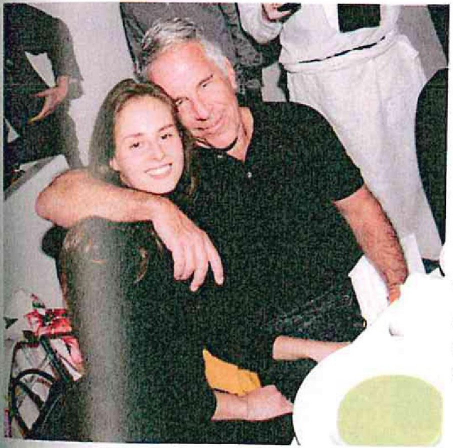
Stephen Hawking, photographed in March 2006 aboard an Atlantis submarine that was custom-fitted by Epstein to accommodate his wheelchair. Hawking was attending the conference "Confronting Gravity," "a workshop to explore fundamental questions in physics and cosmology," sponsored by the J. Epstein VI Foundation and the Center for Education and Research in Cosmology and Astrophysics (CERCA) at Case Western Reserve University, at the Ritz Carlton, St. Thomas, USVI. *(Courtesy CERCA, Case Western University)*


Scott - You're amazing! Charlie Crist

A framed photo of Florida governor Charlie Crist and Scott Rothstein in Rothstein's office in Fort Lauderdale, autographed by Charlie Crist: *Scott—You are amazing! Charlie Crist (Carline Jean © Sun Sentinel / ZUMAPRESS.com)*

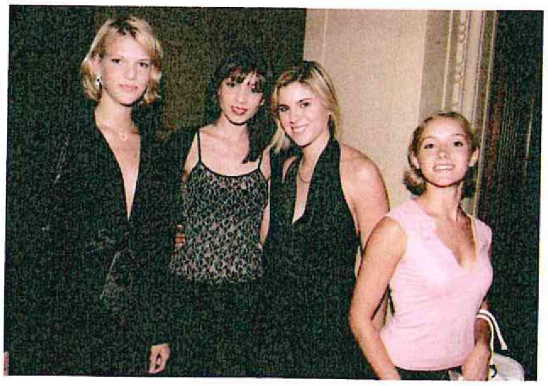


Epstein's current residence, the storied building formerly known as the Herbert N. Straus Mansion, on East 71st Street just off Central Park, was acquired by Leslie Wexner in 1989. *(Laura Hanifin)*



Epstein, a longtime benefactor, with an unidentified friend, attended the 2014 New York Academy of Art's Tribeca Ball, presented by Van Cleef & Arpels, at the New York Academy of Art on April 7, 2014, in New York City. *(Billy Farrell / BFAnyc.com)*

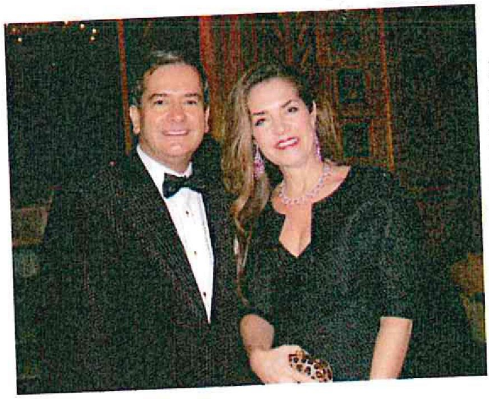
Nadia Marcinkova, Michele Tagliani, Sarah Kellen, and Teala Davies, photographed at the New York Academy of Art's Tribeca Ball, April 14, 2004 *(Rob Rich / SocietyAllure.com)*



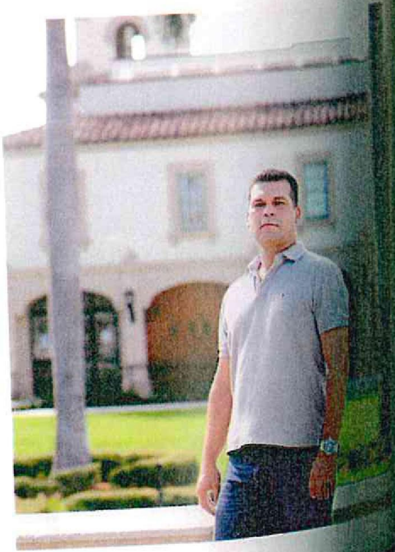
Sarah (formerly Kellen/ Kensington) and husband, NASCAR driver Brian Vickers, arrive on the red carpet at the 141st running of the Kentucky Derby at Churchill Downs in Louisville, Kentucky. *(Jeff Moreland / Icon Sportswire via AP Images)*

Good flight!

Nadia Marcinkova and Larry Visoski, Epstein's personal pilot, in what appears to be the cockpit of a Gulfstream G-II *(YouTube)*



Michael and Janet Reiter at the Palm Beach Police Foundation Policemen's Ball at Mar-a-Lago, January 2012 *(Debbie Schatz / Palm Beach Daily News / ZUMAPRESS.com)*



Retired Palm Beach police detective Joe Recarey, November 2013 *(Meghan McCarthy / Palm Beach Daily News / ZUMAPRESS.com)*

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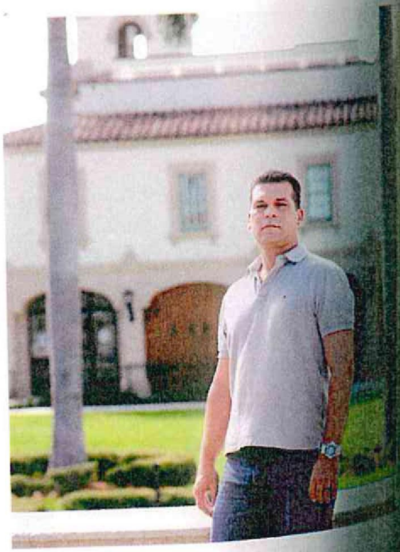
Michael and Janet Reiter at the Palm Beach Police Foundation Policemen's Ball at Mar-a-Lago, January 2012 *(Debbie Schatz / Palm Beach Daily News / ZUMAPRESS.com)*



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guests are like pygmies next to the nearby twice-life-size sculpture of a naked African warrior."

The journalist had confirmed that several prominent names—Mort Zuckerman, the famous real estate mogul and publisher; Microsoft executive Nathan Myhrvold; and Donald Trump among them—had dined at the residence. She'd interviewed several of Epstein's friends and ex-friends: Nobel Prize–winning scientists, financiers who worked with Epstein at Bear Stearns. She'd handled Steven Hoffenberg with aplomb. And, working with *Vanity Fair*'s editors, she'd figured out ways to slip even more information between the lines, in ways that would allow readers to form their own questions about Epstein's finances.

In that respect, she'd fulfilled her original assignment perfectly.

What Carter needed to figure out was what to do with the artist, her sister, and their mother's story. But before he could swipe his key card to let himself into the magazine's offices, Carter saw a man standing in the reception area.

The man was motionless. He'd been waiting for Carter.

It was Jeffrey Epstein. Nonplussed, Carter invited him into his office.

Epstein denied the claims involving underage women. No criminal charges had been filed. And so *Vanity Fair* decided not to include the claims in Ward's article. But, according to Ward, when her editor Doug Stumpf called her, she cried.

She'd worked so hard on the piece, gotten so stressed out that one of her twins had begun to grow more slowly than the other. On doctor's orders, she'd been put on bed rest.

"Why?" she asked when she got to speak to Carter directly.

"He's sensitive about the young women. And we still get to run most of the piece."

In her notebook, Ward wrote down the rest of what Carter had said: "I believe him," he told her. "I'm Canadian."

But the piece that came out, in the March issue, still created a sensation. It was called "The Talented Mr. Epstein" in a sly reference to Patricia Highsmith's celebrated suspense novel *The Talented Mr. Ripley*. The film adaptation, by Anthony Minghella, was still fresh in the minds of *Vanity Fair*'s readers. For Graydon Carter, just posing the question *Is Epstein some sort of scam artist, like Ripley?* had been question enough. And throughout the piece, there were ironies readers wouldn't miss as they drew their own conclusions about Epstein's life story. It came through clearly in the first line of the last paragraph of Ward's 7,500-word story: "Many people comment there is something innocent, almost childlike about Jeffrey Epstein."

In context, the word *innocent* was rather ironic—so much so that it almost became its own opposite.

Todd Meister: June 20

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CHAPTER 39

Todd Meister: June 2015

Harry Cipriani, on Fifth Avenue, is a New York institution. The restaurant began its life as an American outpost of Harry's Bar—which was itself a famous American outpost in Venice. Located inside the Sherry-Netherland hotel, it's a theme restaurant—the theme being money. And today, a hedge-fund manager named Todd Meister is talking about a very wealthy man—Jeffrey Epstein—whom he knows through his father, Epstein's sometime friend Bob Meister.

"I've known Jeffrey since I was nineteen," Meister says. "So let me tell you what I know—whatever everyone knows and everybody else says. First off, he's no billionaire. Second off—and here's why—he has no clue how to invest. He has people do that for him."

Meister knows how to invest. He does it for other people and, as the son of a superrich father, for himself. He also knows about the good life. Parties in Vegas; weekends in the Hamptons; affairs with beautiful women that end up getting splashed all over the tabloids.

It makes sense that, once upon a time, he and Epstein would have gotten along.

"As for the girls," Meister says, "that was just business. He'd seat them strategically at client dinners. When he went to the movies, he'd take three or four girls with him. They'd take turns massaging his back, arms, and legs."

According to Meister, Epstein used to boast that he "liked to go into insane asylums because he liked to fuck crazy women."

"Who knows if it's true?" Meister adds. "But I'm telling you, he used to say it."

From time to time, Epstein's friends and acquaintances would see sides of Epstein that he'd grown much less shy about sharing.

Epstein encouraged Alan Dershowitz to invest with a prominent hedge-fund manager named Orin Kramer. Dershowitz did, and he made a lot of money at first. But in 2008, the fund Dershowitz had invested in lost a substantial amount. Afterward, according to a former associate of Epstein's, Epstein appeared in Kramer's midtown Manhattan office. There, sources say, he told Kramer: "It's very much in your interest to make Alan Dershowitz whole."

Epstein's intervention worked, and Dershowitz recovered his money.

To people who'd known Epstein back in the 1980s, this kind of behavior was out of character. But the thing about Epstein was that you never could figure him out. One minute he was charming.

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The most charming man you'd ever meet. The next he was snarl, threat, and bluster. Something didn't add up. So you'd run the numbers: this many parties, that many women. Even with the connection to Victoria's Secret, the women didn't add up, either.

Throw in the modeling agency, it makes more sense. Then you plug in the parties. The scene brings *Eyes Wide Shut* to mind. But the thing is, *Eyes Wide Shut* only works in the shadows. For Epstein, getting on that plane with Clinton was more like a moment in *Caddyshack*—the one in which the groundhog peeks out from his hole in the golf course. From there on in, Jeffrey Epstein was like the mole in a game of whack-a-mole. It was only a matter of time before he'd be caught. But the question you had to ask yourself was, are people like Epstein born without morals? Or are their morals like snakeskin—just something they shed (along with all the other basic, day-to-day concerns that everyday working people have) as they make their way into that *Eyes Wide Shut* world?

Todd Meister, who was married to Nicky Hilton and stole the heiress Samantha Boardman away from Condé Nast's former editorial director James Truman, should know. He wonders out loud:

"How *does* a yutz like Epstein get beautiful women?"

At Harry Cipriani, the question lingers in the air.

PART IV

The Investigation

CHAPTER 40

Michael Reiter: January 2006

As far as Michael Reiter's concerned, the case that his team has built against Epstein—slowly, meticulously, over the course of an entire year—is airtight. Even now, Detective Recarey's finding new pieces of evidence. And already Reiter's been laying the groundwork with prosecutors. State attorney Barry Krischer has a reputation for toughness. He's known, nationally, for his prosecution of juvenile offenders. And Reiter's been keeping him abreast of the investigation. With Jeffrey Epstein, it's not simply a matter of seeing him punished. It's a matter of getting a sexual predator off the streets of Palm Beach.

Krischer assures the chief that he's taking this case *very* seriously.

The state attorney's office will have Reiter's back at every turn.

"I told him that we had an investigation that was very serious that involved a very noteworthy person and that involved a number of underage females," Reiter would say in his deposition for the suit that was later settled by Epstein. "That it was of a sexual nature. I was concerned that we had not reached all of the victims, and we hadn't, I'm sure, at this point. I told him that I felt like the suspect would probably become aware of the investigation at some point and that we should probably expect some contact from... Mr. Epstein's lawyers. And I told him that I wanted to keep him very well informed on this and that I hoped that he would do the same. And that we would have to have more contact in making sure it was handled responsibly, intelligently, and appropriately as it moved forward."

Reiter would say that Epstein's name did not seem to ring a bell with the state attorney. But shortly afterward, the chief became aware that in certain powerful circles his investigation was being looked upon unfavorably. "I had many people-related conversations... on the cocktail-party circuit that suggested we approach this in a way that wasn't necessary," he would say.

Michael Reiter was a good cop. A good man. But he was about to discover that when it came to men with the power and influence Epstein wielded, fairness under the law was a relative, malleable concept.

Detective Recarey: Feb

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CHAPTER 41

Detective Recarey: February 2006

For months, Joe Recarey's been interviewing girls who'd been brought to Epstein's house, subpoenaing telephone and car-rental records, conducting surveillance. Ultimately, according to a source within the Palm Beach PD, the department would identify forty-seven underage girls who'd been molested on El Brillo Way.

Recarey interviewed one of Epstein's pilots, a man named David Rogers, as well as Epstein's houseman, Alfredo Rodriguez. He also spoke to a woman who really *was* a massage therapist.

It turned out that Epstein paid just one hundred dollars for actual Swedish deep-tissue massages that the therapist provided for him and his friends, the lawyer Alan Dershowitz among them.

Did anything untoward ever happen? Recarey asked. Had Epstein ever asked the woman to rub his chest?

No, she told him. She wasn't Epstein's type. The girls she'd seen at his house were very thin and beautiful and did not have tattoos. This massage therapist had several tattoos that were visible, and on quite a few occasions Epstein and Ghislaine Maxwell had made negative comments about them.

According to a Palm Beach Police Department Incident Report filed by Recarey on July 25, 2006, the detective had also heard from Mary's father, who said that a private eye had been to his house, photographing his family and chasing visitors away.

Mary's dad had gotten the license plate—Florida E79-4EG.

Recarey traced it back to one Ivan Robles of West Palm Beach. Robles turned out to be a licensed private investigator.

Recarey informed the state's attorney's office.

Alison also contacted Recarey and told him that she'd been approached by someone who was in touch with Epstein. Alison had been told that she'd receive money if she would refuse to cooperate with the police.

Those who help him will be compensated, she was told, according to Detective Recarey's incident report. "And those who hurt him will be dealt with."

Recarey reassured the girl and told her that tampering with a witness in a case like this was a serious, arrestable offense.

Then he told an assistant state attorney.

The detective was leaving no *i* undotted and no *t* uncrossed.

But he did wonder if the state attorney's office itself had become part of the problem.

Barry Krischer: April

State attorney Barry
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CHAPTER 42

Barry Krischer: April 2006

State attorney Barry Krischer was an elected official, but before taking his post, he'd been a lawyer in private practice in and around Palm Beach. Elected twice to his office, in 1992 and 1996, he had run unopposed for state attorney in 2000 and 2004. During the course of his long career, which began in 1970 with a three-year stint in the district attorney's office in Brooklyn, he received a number of awards: the pro bono award from the Legal Aid Society of Palm Beach County for his service with the juvenile justice system and for his work with the child protection team; the Peace at Home award, presented by Governor Jeb Bush, for his work with victims of family violence; a lifetime achievement award from the Florida Bar. He was a board member of the National District Attorneys Association. And he was not necessarily averse to going after the rich and powerful. In 2003, he launched an investigation into Rush Limbaugh's use of, and means of obtaining, oxycodone and hydrocodone. (A few years after Limbaugh's arrest, which coincided with Chief Reiter's investigation into Jeffrey Epstein, the talk-show host settled with prosecutors, agreed to submit to random drug testing, and gave up his firearms permit.)

Krischer himself, however, had been accused of sexual misconduct.

In October of 1992, Jodi Bergeron, a legal secretary who'd worked for Krischer, filed a sexual harassment lawsuit against him in the Palm Beach County circuit court. That suit was dismissed, but a few months later, the woman took Krischer to federal court, accusing him of making unwanted advances and demanding recompense for battery, negligence, invasion of privacy, and emotional distress.

Krischer had placed his hands, violently, inside her blouse, the woman said. He'd forcibly fondled her breasts, forcibly kissed her, and rubbed her shoulders while brushing her buttocks with his hands and knees, all while accompanying the gestures with verbal advances.

When she declined those advances, the woman claimed, Krischer fired her.

Krischer denied the allegations. At the time, he was making his first run for the state attorney's office. The charges were politically motivated, he said. Members of a local chapter of NOW—the National Organization for Women—had stood by the lawyer, citing his efforts to stop domestic violence, among his other virtues.

"I am here to support Barry Krischer for the work his office did in my daughter's case," one woman said during a rally that took place in front of the courthouse. "Her murderer received the maximum sentence, a life sentence."

The second lawsuit had also been dismissed—after Krischer's

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Now Chief Reiter and Detective Recarey were beginning to have their own questions about Barry Krischer. The Palm Beach PD wanted to charge Epstein with one count of lewd and lascivious behavior and four counts of unlawful sexual activity with a minor—felony charges that would have amounted to years behind bars in the case of a conviction. Wendy Dobbs and Sarah Kellen would be charged as accomplices.

This was not the plan that Krischer seemed to have in mind for Jeffrey Epstein.

In cases involving the sexual abuse of minors, prosecuting attorneys tend to have suspects arrested, then push for a trial. But instead of granting his approval for an arrest, Krischer told the police that he would convene a grand jury, which would be asked to consider a broad range of charges.

In a case such as Epstein's, this was highly unusual. Not damning in and of itself. But very strange. In Florida, grand juries are only *required* in capital cases. At the state attorney's discretion, they may also be called in controversial cases—for instance, cases involving crimes committed by public officials. But Jeffrey Epstein wasn't a public official, and as far as the Palm Beach PD was concerned, the only controversial thing about the case they'd built was that Epstein was rich and well connected. In his deposition for *B.B. vs. Epstein,* Chief Reiter relayed Krischer's concerns: the prosecutor had to make sure that his case was solid, beyond a reasonable doubt. And Krischer did have his doubts about the credibility of the young women who'd be called to testify against Epstein.

Even so, Reiter was beginning to wonder if Krischer was stacking the deck in Epstein's favor—if, thanks to the sway prosecutors have over grand juries, assembling such a jury wasn't an excellent way to let Epstein off with the lightest punishment possible.

Another unusual thing: the way Barry Krischer and the lawyers working for him ignored Chief Reiter's multiple phone calls as well as Detective Recarey's—even though the police had been hearing from Epstein's own lawyers.

"[Krischer] and I had an excellent relationship," Chief Reiter said in his deposition. "I was the speaker at his swearing-in ceremony. And that he wouldn't return my phone calls—I mean, it was clear to me by his actions that he could not objectively look at this case."

In the incident report he ended up writing, Detective Recarey remembered a phone call that he received from Guy Fronstin, one of the lawyers representing Epstein.

It was a message Epstein wanted to send, something central to the case that demanded explanation. The whole shit show swirling around him was just a misunderstanding—a misrepresentation—of Epstein's actual interests and intentions.

Fronstin says Mr. Epstein is very passionate about massages, Detective Recarey would write.

And: *Mr. Epstein had donated over $100,000 to the Ballet of Florida for massages.*

And: *The massages are therapeutic and spiritually sound for him. That is why he has had so many massages.*

Palm Beach Police Depar
by Detective Joseph Reca

On April 13 and April 14,
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CHAPTER 43

Palm Beach Police Department Incident Report Filed by Detective Joseph Recarey: July 25, 2006

On April 13 and April 14, 2006, I attempted contact on several occasions with ASA [assistant state attorney Daliah] Weiss and ASA [Lanna] Belohlavek to ascertain when the victims needed to report for Grand Jury testimony. Messages were left on their voicemail. On April 17, 2006, during the hours of 9:00 am and 11:30 am I again left messages for ASA Weiss and ASA Belohlavek for either of them to return my call as I had not heard from the State Attorney's Office as to the time and date of the Grand Jury.

At approximately 12:30 pm, I went to the State Attorney's Office and Located ASA Weiss and ASA Belohlavek in their offices. I entered ASA Belohlavek's office who informed me that she was going to return my call. She explained that an offer was made to the Defense, Atty Guy Fronstin and

Atty Alan Dershowitz. The offer is 1 count of Agg Assault with intent to commit a felony, five years probation, with adjudication withheld. Epstein would have to submit to psychiatric/sexual evaluation and no unsupervised visits with minors. When asked about all the other victims, ASA Belohlavek stated that was the only offer made as to one victim, [Mary]. ASA Belohlavek['s] cell phone rang and went to voice mail. She checked her voice mail and played the message on speaker. The caller identified himself as Atty Guy Fronstin and acknowledged the deal made between them. Fronstin stated in the message, he spoke with his client, Jeffrey Epstein, and would agree to this deal. Fronstin asked to call off the grand jury as they would accept this deal. Belohlavek stated a probable cause would be needed to book Epstein in the county Jail and would let me know as to when it was needed. I explained my disapproval of the deal and not being consulted prior to the deal being offered. However I expressed that was only my opinion and the final approval would come from the Chief of Police. She explained to have Chief Reiter call Barry Krischer about the deal. I left the area and returned to the police station where I briefed the Chief about the deal offered.

I checked my voice mail messages and discovered a message from [the] stepmother for the victim [Mary]. She was calling because the State Attorney's Office still had not returned any of her calls as to when they are needed for this case. I then called ASA Belohlavek's office and left messages for her to call the victims on this case and explain to them what the State Attorney's Office had done.

Michael Reiter: May 2

A plea offer?
Chief Reiter is
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Why?

Alan Dershowitz has pre
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In her “About Me” colu
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Under “Ever drank” an
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Under “Ever shoplifted”:

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CHAPTER 44

Michael Reiter: May 2006

A plea offer?

Chief Reiter is *outraged*. His team has logged thousands of hours of work. They've assembled mountains of evidence. But instead of going to trial, the state attorney wants to see Epstein get off with a misdemeanor, five years of probation, and a psych exam.

Why?

Alan Dershowitz has presented the prosecutors with his own pieces of evidence—printouts from the victims' Myspace pages.

In her "About Me" column, under "Best physical feature," Mary has written "Ass and eyes."

Under "Ever drank" and "Ever smoked pot," she's written "Yeah."

Under "Ever shoplifted": "Lots."

Under "Ever skinny dipped": "Yeah."

Under "[Do] you wanna lose your virginity": "I already lost it."

One of the victims has been caught with drugs and arrested. She's also been caught stealing from Victoria's Secret. From the state attorney's perspective, these girls look like compromised women. And if what they say about Epstein is true, wouldn't that make them prostitutes?

As witnesses, they would be weak, while the lawyers on Epstein's side were exceptionally strong.

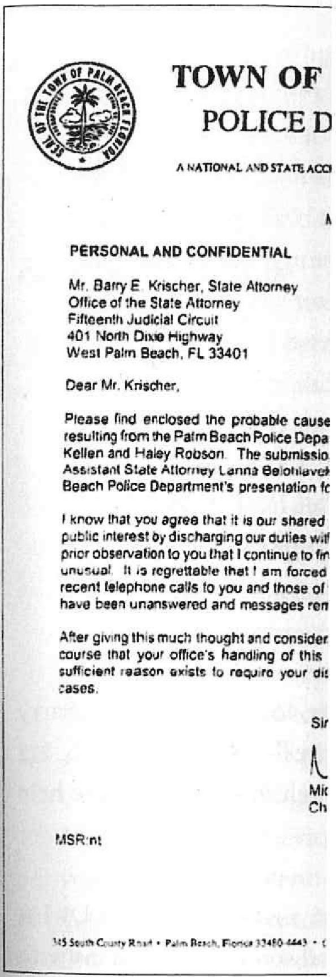
Alan Dershowitz had represented Claus von Bülow, the British socialite who was acquitted of the murder of his wife, Sunny. Dershowitz had been on O. J. Simpson's team when the former football star was acquitted of the murders of his ex-wife, Nicole Brown Simpson and Nicole's friend Ronald Lyle Goldman. And rich as von Bülow and Simpson had been, neither one had had the resources that Epstein was willing and able to deploy in his own defense.

Neither of them had been intimate friends with his lawyer.

As far as Reiter was concerned, none of that mattered. Even if Epstein thought that the girls he'd molested were eighteen years old—even if they had *lied* to him—it didn't matter under Florida law. The chief grew worried that in Epstein's case exceptions were being made, and he grew even more concerned with each unreturned call that he made to the state attorney's office.

On May 1, the Palm Beach PD asked the state attorney's office to issue an arrest warrant for Jeffrey Epstein.

That same day, Chief Reiter took the extraordinary step of writing Barry Krischer a letter all but demanding that he recuse himself from the case.



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PERSONAL AND CONFIDENTIAL

Mr. Barry E. Krischer, State Attorney
Office of the State Attorney
Fifteenth Judicial Circuit
401 North Dixie Highway
West Palm Beach, FL 33401

Dear Mr. Krischer,

Please find enclosed the probable cause
resulting from the Palm Beach Police Depa
Kellen and Haley Robson. The submissio
Assistant State Attorney Lanna Belohlavek
Beach Police Department's presentation fc

I know that you agree that it is our shared
public interest by discharging our duties wit
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unusual. It is regrettable that I am forced
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After giving this much thought and consider
course that your office's handling of this
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Sir

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345 South County Road • Palm Beach, Florida 33480-4443 •

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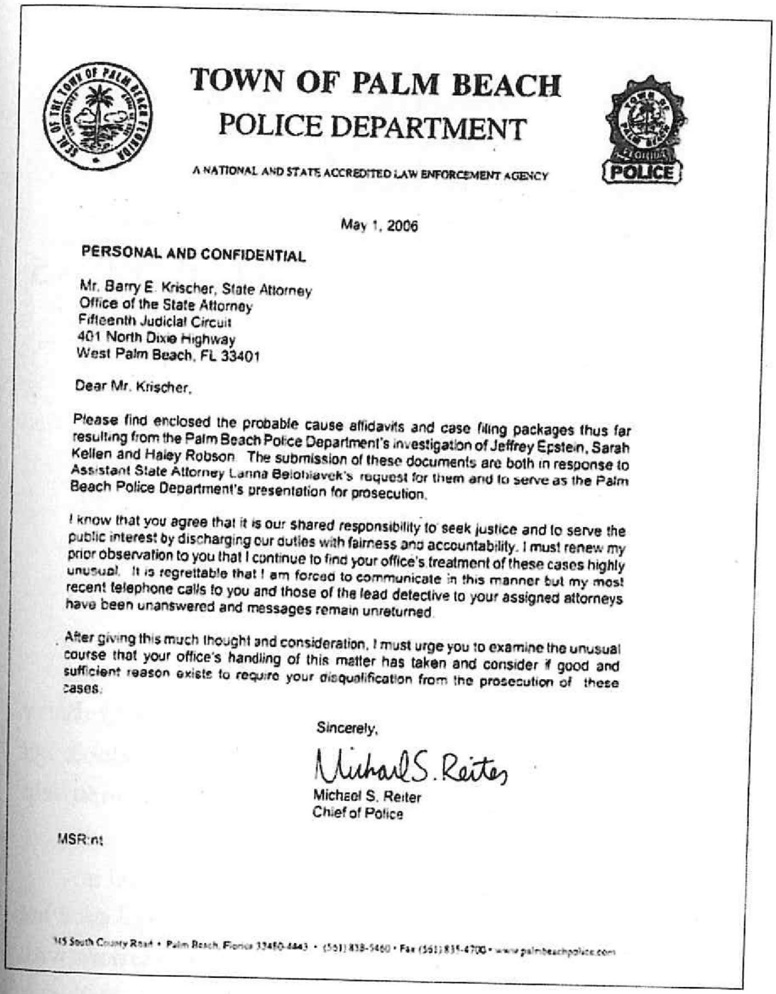

TOWN OF PALM BEACH
POLICE DEPARTMENT
A NATIONAL AND STATE ACCREDITED LAW ENFORCEMENT AGENCY

May 1, 2006

PERSONAL AND CONFIDENTIAL

Mr. Barry E. Krischer, State Attorney
Office of the State Attorney
Fifteenth Judicial Circuit
401 North Dixie Highway
West Palm Beach, FL 33401

Dear Mr. Krischer,

Please find enclosed the probable cause affidavits and case filing packages thus far resulting from the Palm Beach Police Department's investigation of Jeffrey Epstein, Sarah Kellen and Haley Robson. The submission of these documents are both in response to Assistant State Attorney Lanna Belohlavek's request for them and to serve as the Palm Beach Police Department's presentation for prosecution.

I know that you agree that it is our shared responsibility to seek justice and to serve the public interest by discharging our duties with fairness and accountability. I must renew my prior observation to you that I continue to find your office's treatment of these cases highly unusual. It is regrettable that I am forced to communicate in this manner but my most recent telephone calls to you and those of the lead detective to your assigned attorneys have been unanswered and messages remain unreturned.

After giving this much thought and consideration, I must urge you to examine the unusual course that your office's handling of this matter has taken and consider if good and sufficient reason exists to require your disqualification from the prosecution of these cases.

Sincerely,

Michael S. Reiter

Michael S. Reiter
Chief of Police

MSR:nt

345 South County Road • Palm Beach, Florida 33480-4443 • (561) 838-5460 • Fax (561) 835-4700 • www.palmbeachpolice.com

CHAPTER 45

Videotaped Deposition of Michael Reiter in B.B. vs. Epstein, *a civil lawsuit against Jeffrey Epstein: November 23, 2009*

Q: At some point you sent a letter to state attorney Barry Krischer. Let me show you what we'll mark as exhibit 3. Let me give you a chance to read through this letter again to help refresh your recollection.

A: I've read it.

Q: At this point, in May of 2006, I'm assuming based on what you told us before that you had had some conversations with Barry Krischer directly...by phone—correct?—prior to this letter.

A: I had conversations in person and by phone.

Q: Okay. But nonetheless in May—May 1, 2006—you felt the need to write this letter; is that correct?

A: Yes.

Q: Can you tell us why?
A: Well, I felt the handling–
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unusual. I knew that M
about this case. I felt tha
felt that the appropriate
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like that was necessary for
had been submitted to him
Q: Could you tell us, explain
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you felt made it potentially
A: Well...when I first told h
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CHAPTER 45

Michael Reiter in B.B. vs.
ainst Jeffrey Epstein:

a letter to state attorney Barry
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u had had some conversations with
by phone—correct?—prior to this

rson and by phone.
May—May 1, 2006—you felt the
is that correct?

Q: Can you tell us why?

A: Well, I felt the handling—and just continued to feel that the way the state attorney's office handled this case was extremely unusual. I knew that Mr. Krischer was making decisions about this case. I felt that his objectivity was lacking, and I felt that the appropriate way, after reading the statute that governed the assignment of cases to other circuits—I felt that his action met the standard. I used some of the words from the statute in here. And I attempted to call him, and he wouldn't return my phone calls.

The detective attempted to contact—his contact in the state attorney's office, Lanna Belohlavek, however you pronounce that...and she wouldn't return his calls. So I wrote the letter in hope that he would think about his situation and realize that his objectivity was insufficient to prosecute the case and ask the governor to appoint someone else. And I felt like that was necessary for a fair prosecution of our case that had been submitted to him.

Q: Could you tell us, explain to us, why you felt that his objectivity may be lacking in regards to this prosecution...? In other words, what evidence did you see here, uncover, that you felt made it potentially nonobjective?

A: Well...when I first told him about the case, and I realized that it was a serious case, [that] there were multiple victims, [and] that the suspect was very well known, I told him about it. And we were—it was in person. I talked to him after a meeting that he and I were both involved in. And I had known him to be a victim advocate and to protect the rights of children. Well, I know that he even wrote a portion of the statute that addresses those issues. And when I told him originally, he said, "Let's go for it; this is an adult male in his fifties who's had sexual contact with children of the ages of the victims." He said this is somebody who we have to stop. And whatever we need, he said, in the state attorney's office, we have a unit that's equipped to investigate and prosecute these kinds of cases. And I didn't have too many facts early on when I talked with him, but I knew that there were multiple victims and to our detectives they were believable. So when time went on and Mr. Epstein became aware of the investigation and his lawyers contacted the state attorney's office, they told me that.

And from that point on, and I believe it was Mr. Dershowitz initially, the tone and tenor of the discussions of this case with Mr. Krischer changed completely. [At] one point he suggested that we write [Epstein] a notice to appear, which would be for a misdemeanor. He just completely changed from not only our first conversation about this[—when] he didn't know the name Jeffrey Epstein—till when he had been informed on Mr. Epstein's reputation and his wealth, and I just thought that very unusual.

I feel like I know him or knew him very well, the state attorney, and I just felt like he could not objectively make decisions about this case: that is why I wrote it.

Detective Recarey: May

Chief Reiter's letter to t
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Krischer did not
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CHAPTER 46

Detective Recarey: May 2006

Chief Reiter's letter to the state attorney had no perceptible effect.

Krischer did not recuse himself from the case. No arrest warrant was issued. And on the afternoon of May 3, Detective Recarey received a telephone call from assistant state attorney Daliah Weiss, who advised him that she had been taken off the Epstein case.

Weiss had been the perfect person to prosecute Epstein. As a member of the special victims unit, she focused on sex crimes and crimes against children, prosecuting high-profile cases involving rape, aggravated child abuse, and neglect. But Epstein had added another lawyer, a man named Jack Goldberger, and made Goldberger his attorney of record.

Goldberger was friendly with Barry Krischer—and an associate of Goldberger's was married to Daliah Weiss.

If Epstein's legal team had wanted to remove Weiss from the case, this would have been a good way to do it.

Nine days later, Detective Recarey met with ASA Lanna Belohlavek, who told him that her boss, Barry Krischer, had asked her again to take the case to the grand jury. Recarey told Belohlavek that he had already requested arrest warrants for Epstein, Sarah Kellen, and Wendy Dobbs. The Palm Beach PD had finished its investigation months earlier, he said, and had been waiting since then for the case to move forward. He asked her once more to issue the warrants. Once again Belohlavek declined, saying that the original offer her office had made to Epstein's old lawyer had been resubmitted to the new lawyer. When Epstein's reply came, she would call.

While waiting for that call, Recarey received several calls from Mary's father, who told him that he was being followed by a green Chevrolet Monte Carlo—tailed so aggressively that other vehicles were being run off the road. Recarey ran the plates and found that the Chevy was registered to one Zachary Bechard of Jupiter, Florida.

Bechard was a licensed private eye.

"A funny thing happened in Palm Beach," says Tim Malloy, who was working as a TV newscaster in South Florida at the time.

"This would have been right around the time that Michael Reiter sent his letter asking Barry Krischer to recuse himself from the case. I didn't even know what Epstein looked like, really, at the time. We had pictures taken by the British tabloids, where the link to Prince Andrew first broke. But we didn't have too many of them. What we *did* have was a contact in the hangar where Epstein kept his 727.

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"Our cameraman had a tele
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that was waiting for him.

"Then he saw our helicopter

"I was doing a live voice-ov
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"I don't know how much you know about Palm Beach International Airport. It's the kind of place that has private hangars, valet parking, and waiting lounges that look as chic as anything you'll see in Manhattan. It's an airport for the rich, basically. Saudi princes, heads of state. Powerful men who value their privacy. You can bring limousines onto the tarmac. And we found out Epstein was very secretive about his dealings there. He didn't want anyone to know the tail numbers on his planes.

"But our contact didn't like Epstein. And he was horrified by how young the girls around Epstein were. So thanks to him, we had the 727's tail number, and thanks to one other source—someone I won't say too much about here—we had Epstein's flight plan for a certain trip he was making. We knew he was going to land at the airport. And so our producer climbed into the station's traffic helicopter and told the pilot to hover at five hundred feet a quarter mile south of the field.

"Our cameraman had a telephoto lens. The idea was to get a tight shot, on video, of Epstein deplaning. And for a moment we *did* get the shot: Epstein, with the collar of his cashmere coat flipped up over his neck, about to run down the steps into a cart that was waiting for him.

"Then he saw our helicopter, with the station's markings.

"I was doing a live voice-over on Epstein's arrival. It was the first video anyone had on him up to that point. But Epstein had *run* back onto the plane. Then, during the next commercial break, my producer told me through my headpiece: 'Jeffrey Epstein wants us to stop taking his picture. In fact, he wants to talk to you.'

"The cameraman kept rolling. And eventually Epstein got out, got into a car with tinted windows, and was driven over the bridge to his home in Palm Beach. So in a sense we failed to get the story. But the fact that Epstein would call a news program from his plane and command them to order the program's traffic helicopter away—that says something about the man's arrogance. And maybe his temper."

Mary: July 2006

On June 29, assistant s
Detective Recarey th
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convened for July 19.

On July 12, Recarey spok
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CHAPTER 47

Mary: July 2006

On June 29, assistant state attorney Lanna Belohlavek told Detective Recarey that despite his protestations, the case would be going to a grand jury after all. One had been convened for July 19.

On July 12, Recarey spoke with Mary's stepmother, who said that she still hadn't heard from the state attorney's office. This, too, was odd, since Recarey knew that Mary would be called upon to testify.

She was back in Palm Beach now, after months of living with out-of-state relatives.

All in all, it had been a very tough year for Mary.

"What has happened to my daughter's life is criminal," her father would say.

Mary had been sent to a school for troubled children. For her it was the wrong place at the worst time in her life. She had gotten into more fights there, growing depressed and withdrawn from her sister and parents. Helplessly, her parents watched her spiral out of control. As they neared the end of their rope, they sent her out of state. But after the move, Mary had fallen apart completely. She used drugs, fell in with a bad crowd, ran away from her relatives, and shacked up with a gang of drug dealers.

When the gang was busted by local police, the dealers blamed Mary for snitching and put out the word that they wanted her dead.

"We had to move her again," Mary's father explained. "We finally got her into therapy—she's still seeing the therapist. And worst of all, she developed HPV. She's already had to have a serious operation."

Mary's troubles didn't end there. On June 28, she was brought in front of the grand jury. She hadn't been briefed by the state attorney—she hadn't even *met* the prosecutors—and she had no idea what she would be asked.

Almost immediately, she found that she was being treated more like a criminal than like a witness or victim.

"The prosecutor produced a printout of our daughter's Myspace page," Mary's father recalls. "Mary was stunned. She began to cry. The prosecutor accused her of all sort of things; it was like she was *working* for Epstein.

"All this time, we knew that we were being watched. Creepy guys. Private investigators from Miami. They would follow us, scaring the hell out of my wife and Mary's sister. My car was vandalized. It was like living in hell."

By this point, Epstein's defense dream team included Jack Goldberger, Alan Dershowitz, and Gerald Lefcourt. All of them had excellent track records. Dershowitz and Lefcourt were two

of America's most famous
celebrity lawyer—Ken Sta
had had Bill Clinton impeac
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As far as Mary's parents
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of America's most famous lawyers, and before long, another celebrity lawyer—Ken Starr, the former solicitor general who had had Bill Clinton impeached for perjury—would join Epstein's team.

As far as Mary's parents were concerned, their daughter had walked into an ambush. *Everyone* in the courtroom seemed to be playing defense on the side of Jeffrey Epstein. And as for the second girl—Alison, who claimed that she had been raped—she never testified in court at all.

CHAPTER 48

Michael Reiter: July 2006

On July 28, the grand jury reached a verdict that floored the Palm Beach PD.

The original plea deal that Krischer had offered to Epstein had been bad enough. Now the grand jury was recommending that Epstein be charged with just one felony count of solicitation of prostitution.

There was no mention of underage girls. The original accusation—four felony counts of unlawful sex acts with minors and one felony count of lewd and lascivious molestation—had simply evaporated.

It wasn't enough to send Epstein to prison.

Epstein was allowed to surrender on a Sunday, when no one would know he'd been arraigned. A few hours later, he was released on three thousand dollars bail.

The Palm Beach PD was not even notified.

Once again, Chief Reite
took the extraordinary ste
prosecutor's office.

At the time, the federal
Florida was a Republican
Reiter recalls being presen
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CHAPTER 48

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Once again, Chief Reiter was outraged. So much so that he took the extraordinary step of calling the FBI and the federal prosecutor's office.

At the time, the federal prosecutor of the Southern District of Florida was a Republican named R. Alexander Acosta. Chief Reiter recalls being present at Acosta's swearing-in ceremony and remembers Acosta's declaration that one of his goals would be the prosecution, to the fullest extent of the law, of anyone who takes advantage of the weak—especially perpetrators of sex crimes. Disgusted with Krischer's laissez-faire attitude, Reiter recalls thinking he'd found his man.

In Acosta, the chief saw a prosecutor who wouldn't shy away from confronting a man with Jeffrey Epstein's resources and connections.

But it turned out that Acosta had worked under Ken Starr at Starr's high-powered multinational law firm, Kirkland & Ellis. And while Acosta had a sterling résumé, which included a stint clerking for future Supreme Court justice Samuel Alito, he had only argued two cases before a judge.

At the time, Reiter did not know this. All he knew was that someone had to look much more seriously into Jeffrey Epstein's crimes.

Reiter's actions did not necessarily make him a hero—at least, not in *every* corner of the community he served.

"I had individuals suggest that the department's approach to the investigation and my referral of the investigation to the FBI was more horsepower than the investigation deserved. And I had other individuals suggest that—yeah, the term 'back off' probably fits," Reiter said in his deposition for *B.B. vs. Epstein.*

"I had people in the community in Palm Beach who either made comments directly to me or to others who relayed them to me that I didn't need to take the tack in the investigation that we did, which is [to] completely investigate it and then refer it to the FBI after the state case was resolved," Reiter said in the deposition. "I had one individual who came to see me a couple of times about this."

According to the chief, the individual in question was a prominent Palm Beach politician.

"He said this wasn't necessary; this was a case that was really very minor," Reiter recalled. "The victims had lifestyles that don't make them—shouldn't make them believable to the police department."

"I told him that those kinds of suggestions to me were improper and he should stop," said Reiter. "That he had taken a couple of steps down the road toward something that could eventually constitute a crime. We talked several times. Early on it didn't end favorably. You know, this is an individual [whom] I had to interact with in my official capacity and in his official capacity as well."

The Palm Beach politician wasn't the only one to pressure the police chief. "I received comments from a variety of different viewpoints... in some cases I had people tell me, hey, he's a Palm Beacher, why are you investigating a Palm Beacher?" Reiter would say when deposed. "I had people that said it was an unfavorable career move for me to ask the state attorney to remove himself from the case and to refer it to the FBI.... I had plenty of people that told me that that was a mistake."

Reiter didn't back off. To have done so would have been a betrayal—not only of the victims but also of his vocation and the community he had sworn he would serve.

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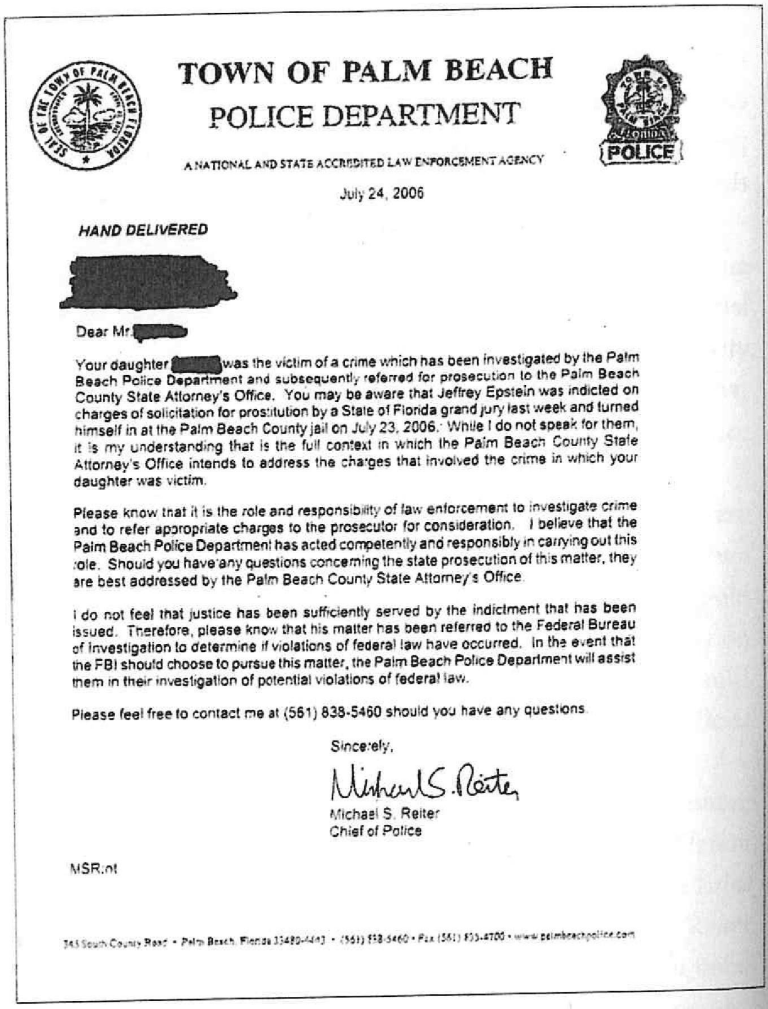
“My responsibility was to protect everyone that lives in Palm Beach and preserve their constitutional rights and be the police department for all,” Reiter said. “And I think that under the law, particularly under the criminal laws, that all people have to, by the nature of our system, be treated exactly alike.”

But along with handing the case off to the FBI and the US attorney, Reiter took another unusual step. He wrote personal letters—on Palm Beach PD letterhead—to the parents of the victims in the case.

He delivered the letters by hand.



TOWN OF PALM BEACH
POLICE DEPARTMENT
A NATIONAL AND STATE ACCREDITED LAW ENFORCEMENT AGENCY

July 24, 2006

HAND DELIVERED

[redacted]

Dear Mr. [redacted]

Your daughter [redacted] was the victim of a crime which has been investigated by the Palm Beach Police Department and subsequently referred for prosecution to the Palm Beach County State Attorney's Office. You may be aware that Jeffrey Epstein was indicted on charges of solicitation for prostitution by a State of Florida grand jury last week and turned himself in at the Palm Beach County jail on July 23, 2006. While I do not speak for them, it is my understanding that is the full context in which the Palm Beach County State Attorney's Office intends to address the charges that involved the crime in which your daughter was victim.

Please know that it is the role and responsibility of law enforcement to investigate crime and to refer appropriate charges to the prosecutor for consideration. I believe that the Palm Beach Police Department has acted competently and responsibly in carrying out this role. Should you have any questions concerning the state prosecution of this matter, they are best addressed by the Palm Beach County State Attorney's Office.

I do not feel that justice has been sufficiently served by the indictment that has been issued. Therefore, please know that his matter has been referred to the Federal Bureau of Investigation to determine if violations of federal law have occurred. In the event that the FBI should choose to pursue this matter, the Palm Beach Police Department will assist them in their investigation of potential violations of federal law.

Please feel free to contact me at (561) 838-5460 should you have any questions.

Sincerely,

Michael S. Reiter

Michael S. Reiter
Chief of Police

MSR:nt

345 South County Road • Palm Beach, Florida 33480-4443 • (561) 838-5460 • Fax (561) 835-4700 • www.palmbeachpolice.com

Jeffrey Epstein: Septem

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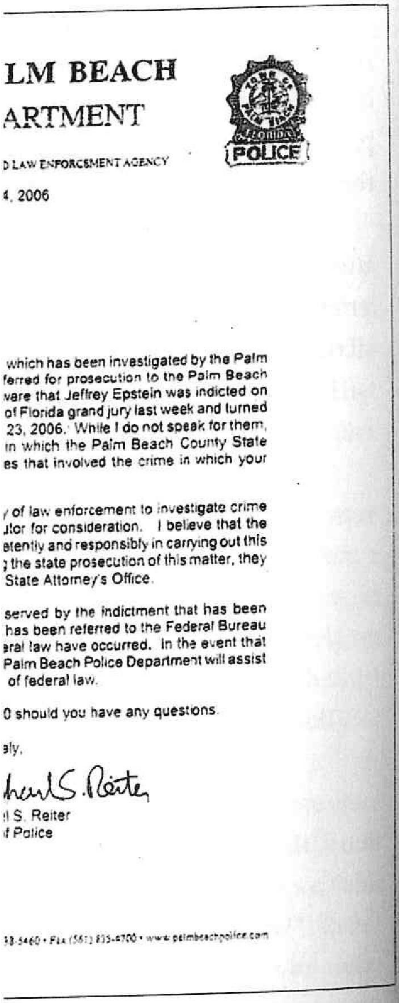

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l S. Reiter
f Police

8-5460 • Fax (561) 835-4700 • www.palmbeachpolice.com

CHAPTER 49

Jeffrey Epstein: September 2007

In the winter of 2013, Scott Blake, a forty-seven-year-old middle school principal from Palm Beach Gardens, Florida, would be sentenced to the minimum mandatory sentence—ten years in prison, with ten years of probation on top—for pleading guilty to one charge of soliciting sex with a minor.

Blake's crime? He sent sexually charged messages to a Boynton Beach police officer who was pretending to be a fifteen-year-old boy. But in a sense, Blake was lucky: he could have been sentenced to life. The case was an interesting example of the kind of treatment regular Florida folks could expect just for *soliciting* sex with a minor. But nothing about Jeffrey Epstein was regular—and the plea deal he managed to strike in 2007 was simply *extraordinary*.

Epstein had bought himself one of the best defense teams ever assembled. His connections and contributions to Democratic causes had made him a player on that side of the political aisle. He had a famous Republican, Bill Clinton's nemesis, Ken Starr, working the other side. And just to make sure they'd covered the bases, Epstein's team also recruited Roy Black—the lawyer who'd cleared William Kennedy Smith of rape and kept Rush Limbaugh out of prison for his alleged illegal drug use—and Jay Lefkowitz, a defense attorney who'd worked with US attorney R. Alexander Acosta at Ken Starr's law firm.

And so in September, the US attorney's office reached a formal agreement with Epstein's team: the United States would defer federal prosecution in favor of prosecution by the state of Florida.

A non-prosecution agreement (NPA) was drafted; among other things, it assured Epstein that he would not be prosecuted in the Southern District of Florida for felony offenses involving the sexual abuse of underage girls. (By that point, thirty known victims had been discovered.) Instead it allowed him to plead guilty to state felony offenses for solicitation of prostitution and the procurement of minors for prostitution. The NPA established a procedure that allowed Epstein's victims to sue him in civil court and took the extraordinary step of ensuring that "any potential co-conspirators" of Epstein's would be immune from prosecution.

"In consideration of Epstein's agreement to plead guilty and to provide compensation in the manner described above, if Epstein successfully fulfills all of the terms and conditions of this agreement, the United States also agrees that it will not institute any criminal charges against any potential co-conspirators of Epstein," the agreement stated, mentioning Sarah Kellen and Nadia Marcinkova by name.

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"The parties anticipate that this agreement will not be made part of any public record," the document concludes. "If the United States receives a Freedom of Information Act request or any compulsory process commanding the disclosure of the agreement, it will provide notice to Epstein before making that disclosure."

Remarkably, despite assurances they'd received from the feds, none of the victims was consulted prior to the drafting of this NPA.

If Epstein did not sign the agreement, he faced a fifty-seven-count indictment and a decade or more in prison. But Epstein's team of lawyers had gotten him a deal so sweet it could have rotted all the teeth in South Florida.

For all his protestations of innocence, there was every reason in the world to agree to an NPA.

On September 24, 2007, Epstein did sign it.

Once again, none of the victims had been consulted or notified.

CHAPTER 50

Jane Doe: February 2008

As a result of the non-prosecution agreement, a fifty-three-count indictment that federal prosecutors had prepared against Jeffrey Epstein—one that claimed he'd abused dozens of underage women—never was filed.

But as far as lawyers representing Epstein's victims were concerned, the fact that those victims were not consulted about the non-prosecution agreement was inexcusable. The "government deliberately kept crime victims 'in the dark' so that it could enter into a plea arrangement designed to prevent the victims from raising any objections," they would argue, in documents filed on February 10, 2016. For nine months, the lawyers claimed, from the time that the NPA was signed, on September 24, 2007, Krischer's office, "doing Epstein's bidding, [had] concealed the NPA's existence from victim[s]" and continued to do so until the moment that Epstein had
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CHAPTER 50

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In the interim, according to their lawyers, Epstein's victims were only told, "This case is currently under investigation."

A lawsuit that Bradley Edwards, a victims' rights attorney in Fort Lauderdale, filed in July of 2008 cited the Crime Victims' Rights Act, or CVRA (title 18, section 3771, of the US Code), which states that "victims of federal crimes have rights, including the right to be heard in court, and most particularly, not to be precluded from court proceedings, and the right to be treated fairly."

According to him, prosecutors had violated the CVRA rights of the victims. Edwards, who said he was working pro bono, knew that this suit against the government would not allow for monetary recovery of any sort (including lawyers' fees). But he also knew that if the government, urged by Jeffrey Epstein, had entered into a contract that improperly or illegally violated the rights of Epstein's victims, then that contract, by nature, would have been improper in and of itself—in which case, the only remedy would have been to have the contract invalidated. And while it is difficult to know what, exactly, would happen if the contract *is* overturned, one possibility is that the government could prosecute Epstein for crimes against his victims, if the statute of limitations on those crimes has not expired.

At the time of this writing, that case is winding its way through the courts. It has all the earmarks of a modern-day *Bleak House*—the Charles Dickens novel about a legal case that is so massive and so complex that it drags on forever and drags everyone involved into the mire.

* * *

In the meantime, Epstein began to settle out of court with his victims.

In February of 2008, a Virginia woman who went by the alias Jane Doe #2 brought a fifty-million-dollar lawsuit against Epstein.

At the time of their meeting, she claimed, Epstein was fifty-two years old. She was a teenager, and her complaint, which was made public, gave the rest of the world an early glimpse of what Epstein, and the inner workings of his secret world, looked like from a victim's perspective.

"Epstein is a financier and money manager with a secret clientele limited exclusively to billionaires," the lawsuit alleged. "He is himself a man of tremendous wealth, power and influence. He maintains his principal home in New York and also owns residences in New Mexico, St. Thomas and Palm Beach, FL. The allegations herein concern Epstein's conduct while at his lavish estate in Palm Beach." The complaint continued:

> *Upon information and belief, Epstein has a sexual preference and obsession for underage minor girls. He engaged in a plan and scheme in which he gained access to primarily economically disadvantaged minor girls in his home, sexually assaulted these girls, and then gave them money. In or about 2004–2005, Jane Doe, then approximately 16 years old, fell into Epstein's trap and became one of his victims.*
>
> *Upon information and belief, Jeffrey Epstein carried out his schemes and assaulted girls in Florida, New York, and on his private Island, known as Little St. James, in St. Thomas.*
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> *Epstein's scheme involved the use of young girls to recruit*

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> *underage girls. (Upon information and belief, the young girl who brought Jane Doe to Epstein was herself a minor victim of Epstein, and will therefore not be named in this Complaint.) Under Epstein's plan, underage girls were recruited ostensibly to give a wealthy man a massage for monetary compensation in his Palm Beach mansion. The recruiter would be contacted when Epstein was planning to be at his Palm Beach residence or soon after he had arrived there. Epstein or someone on his behalf would direct the recruiter to bring one or more underage girls to the residence. The recruiter, upon information and belief, generally sought out economically disadvantaged underaged girls from western Palm Beach County who would be enticed by the money being offered—generally $200 to $300 per "massage" session—and who were perceived as less likely to complain to authorities or have credibility if allegations of improper conduct were made. This was an important element of Epstein's plan.*
>
> *Epstein's plan reflected a particular pattern and method. Upon arrival at Epstein's mansion, the underaged victim would be introduced to Sarah Kellen, Epstein's assistant, who gathered the girl's personal information, including her name and telephone number. Ms. Kellen would then bring the girl up a flight of stairs to a bedroom that contained a massage table in addition to other furnishings. There were photographs of nude women lining the stairway hall and in the bedroom. The girl would then find herself alone in the room with Epstein, who would be wearing only a towel. He would then remove his towel and lie naked on the massage table, and direct the girl to remove her clothes. Epstein would then*

perform one or more lewd, lascivious and sexual acts, including masturbation and touching the girl's vagina.

Consistent with the foregoing plan and scheme, Jane Doe was recruited to give Epstein a massage for monetary compensation. Jane was brought to Epstein's mansion in Palm Beach. Once at the mansion, Jane was introduced to Sarah Kellen, who led her up the flight of stairs to the room with the massage table. In this room, Epstein told Jane to take off her clothes and give him a massage. Jane kept her panties and bra on and complied with Epstein's instructions. Epstein wore only a towel around his waste [sic]. After a short period of time, Epstein removed the towel and rolled over exposing his penis. Epstein began to masturbate and he sexually assaulted Jane.

After Epstein had completed the assault, Jane was then able to get dressed, leave the room and go back down the stairs. Jane was paid $200 by Epstein. The young girl who recruited Jane was paid $100 by Epstein for bringing Jane to him.

As a result of this encounter with Epstein, Jane experienced confusion, shame, humiliation and embarrassment, and has suffered severe psychological and emotional injuries.

Jeffrey Epstein: June 30, 2

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CHAPTER 51

Jeffrey Epstein: June 30, 2008

On June 30, 2008, more than three years after the start of Officer Pagan's investigation into his dealings with underage girls, Jeffrey Epstein reported to the Palm Beach County jail.

A few days earlier, Epstein had taken a phone call from the *New York Times*. At the time, he'd been working, or vacationing (the line having long since blurred), at his compound on Little Saint Jeff's.

"I respect the legal process," Epstein had said. "I will abide by this."

He'd spent years fighting the charges—fighting the state, then the federal government, in an effort to avoid a sentence that would have seen him emerge from prison an old man. But the battle had aged him. *Mellowed* him, even. Months earlier, he had all but boasted to a journalist from *New York* magazine.

"It's the Icarus story, someone who flies too close to the sun," that journalist said in reference to "the agony" of Epstein's legal "ordeal."

"Did Icarus like massages?" Epstein responded.

But after Epstein's indictment, there were no more boasts. For the most part, he kept silent in public and retreated into his *Eyes Wide Shut* world. And when the *New York Times* did manage to get him to speak on the record, he spoke like a chastened man.

Sitting on his patio down on Little St. James, Epstein likened himself to the shipwrecked Gulliver after he washes ashore on Lilliput.

"Gulliver's playfulness had unintended consequences," he said.

On the eve of his departure, he had a few more things to say:

"That is what happens with wealth. There are unexpected burdens as well as benefits. . . ."

"Your body can be confined, but not your mind. . . ."

"I am not blameless. . . ."

Outside of the agreement he'd signed with the prosecutor's office, this was the closest Epstein had come to admitting his guilt. But strange details were sprinkled throughout the story. He had formed a "board of directors of friends" who would counsel him on his behavior. And, seemingly for the first time, he'd hired a full-time masseur—a man.

Readers of the *New York Times* might have wondered: Epstein was going to jail for eighteen months. What need would he have for a full-time masseur?

The story's last line hinted at the answer: in preparation for incarceration, Epstein had set up an e-mail alert.

From then on, his automatic reply would read "On vacation."

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PART V

Incarceration

CHAPTER 52

Jeffrey Epstein: June 30, 2008

The Palm Beach County Main Detention Center is on the west side of Lake Worth Lagoon, which separates West Palm Beach from the island of Palm Beach. Epstein's home on El Brillo Way is five miles to the east. Mary's high school is several miles to the west.

It's fitting, somehow, that this jail—which is the jail Epstein ends up in, after turning himself in to the local sheriff—lies in between the two points.

The detention center's inmates, their families, and their lawyers call it the Gun Club, a reference not only to the jail's address, on Gun Club Road, but also to its population of hustlers, burglars, drug dealers, rapists, and murderers. There's the occasional hooker as well. And, from time to time, Haitian refugees are lodged there.

There are three thousand inmates in all.

Some wait a year before making their way to the courthouse, their date with the public defender, and an appearance before the judge. Some get out much sooner, if only they can make bail. But there's no bail without money—or at least collateral—and, of course, being without money is often what lands people in jail in the first place.

Jeffrey Epstein could have posted bail for every single inmate in the Gun Club.

But that's just one of the ways in which Epstein is unlike his fellow inmates. He's an admitted pedophile now. Even a famous one.

And, famously, pedophiles tend to fare poorly in jail.

Luckily for Epstein, Ric Bradshaw, the sheriff in charge of local jails, transfers Epstein to the infirmary, where he spends exactly one night before being transferred seven miles up the road to a much smaller, safer location: the Palm Beach County *Central* Detention Center—or, as it's known, the Stockade.

"It's not somewhere we'd put a serial killer," Ric Bradshaw says.

Most of the residents here are addicts who take part in drug education programs, prostitutes, petty criminals, and drunks. It's a far safer place for Epstein to be, and, unlike other inmates (except, of course, those being held in solitary), he'll end up with his own cell, even his own wing, which he has to himself. Epstein's allowed to pay for a security guard, who sits outside the cell and keeps watch. And he's allowed any number of visitors.

For a convicted felon, it's an extraordinary benefits package.

But according to Sheriff Bradshaw, who also oversees the Stockade, Epstein is incredulous over the treatment he is receiving.

"He was astonished that he had to go to prison at all," Bradshaw remembers.

"Let's just say he didn't think he belonged there."

Sheriff Ric Bradshaw: June

"Our job," says Ric Bradsh
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Sheriff Bradshaw co
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CHAPTER 53

Sheriff Ric Bradshaw: June 2015

"Our job," says Ric Bradshaw, "was to make sure nobody killed him."

Sheriff Bradshaw could have stepped off the set of a Western. Imposingly tall, with his cowboy hat, Kurt Russell mustache, and slow, southern drawl, he looks *exactly* like an old-school law officer—the kind you once would have found patrolling the streets of Tombstone, Deadwood, or Dodge City. He's been a lawman for forty-four years, eleven of which have been spent as the head of the county's jails. As a rule, he doesn't talk to the media, and today, as he talks about Jeffrey Epstein, he's clearly uncomfortable, fidgety, and ill disposed.

But here in his wood-paneled office on the first floor of the Gun Club, Bradshaw remembers Epstein quite well.

"We have a thousand sexual predators in the county," he says. "When he arrived here, he was one of them. He definitely fit the category we have to ensure the general population is not going to take their anger out on."

Although he understands that Epstein is a sex offender and has a sense of the scope of his alleged crimes, Bradshaw's also aware that the actual *conviction* was for a "low-level felony." At the request of Epstein's attorneys—a request that is confirmed by a court order—Epstein is quickly granted "work release."

What it means in practice is that six days a week, for up to sixteen—sixteen!—hours each day, Epstein is allowed to leave the Stockade to be driven by a designated driver in a car earmarked especially for him to any one of three places: his lawyer Jack Goldberger's office in downtown West Palm Beach, the Palm Beach office of a science foundation that he's established, and his house on El Brillo Way.

Despite the ankle bracelet he wears, it could be argued that as a fabulously rich prisoner with two of his own jets parked nearby, at the Palm Beach International Airport, Epstein might have posed a flight risk.

Instead, every day of the week save one, he's allowed to go to his lawyer's, to go to his office, or simply to go home.

Did the deputy in charge of Epstein go to the house on El Brillo Way?

Ric Bradshaw considers the question.

"Yes," he says, "he did."

Did the deputy go inside the house?

"Yes, he did."

If so, the deputy might have encountered Nadia Marcinkova, who was staying on El Brillo Way at the time. He may also have

met a suave short-haired ge
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That would be Jean-Luc B

For the duration of Jeffre
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Way at the time. He may also have

met a suave short-haired gentleman who spoke with a distinct French accent.

That would be Jean-Luc Brunel.

For the duration of Jeffrey Epstein's stay—or half stay—in the Stockade, Brunel's taken up residence in the house on El Brillo Way.

CHAPTER 54

Jeffrey Epstein: June 30, 2008–July 21, 2009

According to Sheriff Ric Bradshaw, the treatment Jeffrey Epstein received in the Stockade was not preferential. By some measures, he isn't wrong.

In 2010, millionaire polo mogul John Goodman killed a young man while driving drunk. He was convicted but was allowed to spend two years under house arrest while his appeal was being tried.

Like Epstein, Goodman was allowed visitors. But Goodman's visitor list was nothing like Jeffrey Epstein's.

Nadia Marcinkova is said to have visited Epstein in jail more than seventy times.

Epstein's assistant Sarah Kellen also visited Epstein in the Stockade.

A Russian mixed martial artist named Igor "Houdini" Zinoviev was another visitor, as was a disbarred lawyer and financial

fraudster named Arnold Pr
had been commuted by Bil
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Sheriff Bradshaw wants
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But even US attorney Aco
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"Epstein appears to have
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And, of course, Epstein's
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CHAPTER 54

2008–July 21, 2009

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Kellen also visited Epstein in the

l artist named Igor "Houdini" Zino-
was a disbarred lawyer and financial

fraudster named Arnold Prosperi, whose own prison sentence had been commuted by Bill Clinton on the day before Clinton left office.

Sheriff Bradshaw wants to be clear: none of these visits was conjugal.

But even US attorney Acosta, who negotiated Epstein's unusual agreement with the government, would say that Epstein's arrangement was highly irregular.

"Epstein appears to have received highly unusual treatment while in jail," Acosta would say in a letter addressed to the general public. "Although the terms of confinement in a state prison are a matter appropriately left to the state of Florida and not federal authorities, without doubt, the treatment that he received while in state custody undermined the purpose of a jail sentence."

And, of course, Epstein's stay at the Stockade was subsidized by taxpayers.

CHAPTER 55

R. Alexander Acosta's letter to the general public, March 20, 2011

To whom it may concern:

I served as U. S. Attorney for the Southern District of Florida from 2005 through 2009. Over the past weeks, I have read much regarding Mr. Jeffrey Epstein. Some appears true, some appears distorted. I thought it appropriate to provide some background, with two caveats: (i) under Justice Department guidelines, I cannot discuss privileged internal communications among department attorneys and (ii) I no longer have access to the original documents, and as the matter is now nearly 4 years old, the precision of memory is reduced.

The Epstein matter was originally presented to the Palm Beach County State Attorney. Palm Beach Police alleged that Epstein unlawfully hired underage high-

school females to provi
massages. Police sought
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CHAPTER 55

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lawfully hired underage high-

school females to provide him sexually lewd and erotic massages. Police sought felony charges that would have resulted in a term of imprisonment. According to press reports, however, in 2006 the State Attorney, in part due to concerns regarding the quality of the evidence, agreed to charge Epstein only with one count of aggravated assault with no intent to commit a felony. That charge would have resulted in no jail time, no requirement to register as a sexual offender and no restitution for the underage victims.

Local police were dissatisfied with the State Attorney's conclusions, and requested a federal investigation. Federal authorities received the State's evidence and engaged in additional investigation. Prosecutors weighed the quality of the evidence and the likelihood for success at trial. With a federal case, there were two additional considerations. First, a federal criminal prosecution requires that the crime be more than local; it must have an interstate nexus. Second, as the matter was initially charged by the state, the federal responsibility is, to some extent, to back-stop state authorities to ensure that there is no miscarriage of justice, and not to also prosecute federally that which has already been charged at the state level.

After considering the quality of the evidence and the additional considerations, prosecutors concluded that the state charge was insufficient. In early summer 2007, the prosecutors and agents in this case met with Mr. Epstein's attorney, Roy Black. Mr. Black is perhaps best known for his successful defense of William

Kennedy Smith. The prosecutors presented Epstein a choice: plead to more serious state felony charges (that would result in 2 years' imprisonment, registration as a sexual offender, and restitution for the victims) or else prepare for a federal felony trial.

What followed was a year-long assault on the prosecution and the prosecutors. I use the word assault intentionally, as the defense in this case was more aggressive than any which I, or the prosecutors in my office, had previously encountered. Mr. Epstein hired an army of legal superstars: Harvard Professor Alan Dershowitz, former Judge and then Pepperdine Law Dean Kenneth Starr, former Deputy Assistant to the President and then Kirkland & Ellis Partner Jay Lefkowitz, and several others, including prosecutors who had formerly worked in the U.S. Attorney's Office and in the Child Exploitation and Obscenity Section of the Justice Department. Defense attorneys next requested a meeting with me to challenge the prosecution and the terms previously presented by the prosecutors in their meeting with Mr. Black. The prosecution team and I met with defense counsel in Fall 2007, and I reaffirmed the office's position: two years, registration and restitution, or trial.

Over the next several months, the defense team presented argument after argument claiming that felony criminal proceedings against Epstein were unsupported by the evidence and lacked a basis in law, and that the office's insistence on jail-time was motivated by a zeal to overcharge a man merely because he is wealthy. They bolstered their arguments with legal opinions from

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well-known legal experts. One member of the defense team warned me that the office's excess zeal in forcing a good man to serve time in jail might be the subject of a book if we continued to proceed with the matter. My office systematically considered and rejected each argument, and when we did, my office's decisions were appealed to Washington. As to the warning, I ignored it.

The defense strategy was not limited to legal issues. Defense counsel investigated individual prosecutors and their families, looking for personal peccadilloes that may provide a basis for disqualification. Disqualifying a prosecutor is an effective (though rarely used) strategy, as eliminating the individuals most familiar with the facts and thus most qualified to take a case to trial harms likelihood for success. Defense counsel tried to disqualify at least two prosecutors. I carefully reviewed, and then rejected, these arguments.

Despite the army of attorneys, the office held firm to the terms first presented to Mr. Black in the original meeting. On June 30, 2008, after yet another last minute appeal to Washington D.C. was rejected, Epstein pled guilty in state court. He was to serve 18 months imprisonment, register as a sexual offender for life, and provide restitution to the victims.

Some may feel that the prosecution should have been tougher. Evidence that has come to light since 2007 may encourage that view. Many victims have since spoken out, filing detailed statements in civil cases seeking damages. Physical evidence has since been discovered. Had these additional statements and evidence been known, the outcome may have been different. But they were not known to us at the time.

A prosecution decision must be based on admissible facts known at the time. In cases of this type, those are unusually difficult because victims are frightened and often decline to testify or if they do speak, they give contradictory statements. Our judgment in this case, based on the evidence known at the time, was that it was better to have a billionaire serve time in jail, register as a sex offender, and pay his victims restitution than risk a trial with a reduced likelihood of success. I supported that judgment then, and based on the state law as it then stood and the evidence known at the time, I would support that judgment again.

Epstein's treatment, while in state custody, likewise may encourage the view that the office should have been tougher. Although the terms of confinement in a state prison are a matter appropriately left to the State of Florida, and not federal authorities, without doubt, the treatment that he received while in state custody undermined the purpose of a jail sentence.

Some may also believe that the prosecution should have been tougher in retaliation for the defense's tactics. The defense, arguably, often failed to negotiate in good faith. They would obtain concessions as part of a negotiation and agree to proceed, only to change their minds, and appeal the office's position to Washington. The investigations into the family lives of individual prosecutors were, in my opinion, uncalled for, as were the accusations of bias and/or misconduct against individual prosecutors.

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At times, some prosecutors felt that we should just go to trial, and at times I felt that frustration myself. What was right in the first meeting, however, remained right irrespective of defense tactics. Individuals have a constitutional right to a defense. The aggressive exercise of that right should not be punished, nor should a defense counsel's exercise of their right to appeal a U.S Attorney to Washington D.C. Prosecutors must be careful not to allow frustration and anger with defense counsel to influence their judgment.

After the plea, I recall receiving several phone calls. One was from the FBI Special Agent-In-Charge. He called to offer congratulations. He had been at many of the meetings regarding this case. He was aware of the tactics of the defense, and he called to praise our prosecutors for holding firm against the likes of Messrs. Black, Dershowitz, Lefkowitz and Starr. It was a proud moment. I also received calls or communications from Messrs. Dershowitz, Lefkowitz and Starr. I had known all three individuals previously, from my time in law school and at Kirkland & Ellis in the mid 90s. They all sought to make peace. I agreed to talk and meet with each of them after Epstein pled guilty, as I think it important that prosecutors battle defense attorneys in a case and then move on. I have tried, yet I confess that this has been difficult to do fully in this case.

The bottom line is this: Mr. Jeffrey Epstein, a billionaire, served time in jail and is now a registered sexual offender. He has been required to pay his victims restitution, though restitution clearly cannot compensate for the crime. And we know much more today about his crimes because victims have come forward to speak out. Some may disagree with prosecutorial judgments made in this case, but those individuals are not the ones who at the time reviewed the evidence available for trial and assessed the likelihood of success.

Respectfully,
R. Alexander Acosta
Former U.S. Attorney
Southern District of Florida

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Respectfully,
R. Alexander Acosta
Former U.S. Attorney
Southern District of Florida

PART VI

Aftermath

CHAPTER 56

Jeffrey Epstein: July 2009

Jeffrey Epstein walks out of the Stockade on July 21, 2009, having served less than thirteen months of his eighteen-month sentence. One of the concessions his lawyers have gotten while working out his plea-deal guarantees is that the media not be alerted to the time and day of his departure.

But from now on, Epstein, who is fifty-six, will carry the mark of a level 3 sex offender—level 1 being the lowest, and level 3 indicating the highest possible risk of a future criminal act of a sexual nature. Wherever he goes, he will be forced to register as such.

Every ninety days, Epstein will have to check in with the authorities. Every year, the New York City Police Department will take his mug shot. And for a full year, Epstein will be under house arrest in Palm Beach.

This last prohibition doesn't stop him from flying, with court approval, on his own planes to New York and to Little Saint Jeff's, where the locals have taken to referring to Epstein's 727 as the Lolita Express.

There are other restrictions, of course, that Epstein is supposed to abide by. He has to provide the state of Florida with a list of all the motor vehicles, boats, and airplanes he owns. The full list includes two Escalades, six Suburbans, two Ford F-150s, two Harley-Davidsons, a Land Rover, a Hummer H2, a thirty-four-foot JVC boat, and a thirty-five-foot Donzi powerboat.

Three of his five planes turn out to be registered to a company called Air Ghislaine, Inc.

As a registered sex offender, Epstein is legally obliged to undergo psychiatric treatment. This is a restriction he'll get around by having his own psychologist submit a report to law enforcement officers.

Epstein is also prohibited from accessing pornography on the Internet and using social networking for sexual purposes.

For Jeffrey Epstein, there will be no Bangbros, Tinder, or Swingles.com.

There *will* be lawsuits.

Six weeks before probation ends, he settles with seven women who sue him in civil court. But Epstein can easily afford the settlement payments. He won't be going back to jail, and in regard to further prosecution for any criminal actions, his troubles are behind him.

Not everyone who's spent time in his company will be so lucky.

Alfredo Rodriguez: Aug

Epstein's houseman, Al
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CHAPTER 57

Alfredo Rodriguez: August 2009

Epstein's houseman, Alfredo Rodriguez, also ends up with a prison sentence.

In a sworn statement, Rodriguez talks about Epstein's maid, Lupita, who had complained to him about having to clean up after Epstein's "massages." Lupita, who was a devout Catholic, had cried as she described the stained towel and sex toys.

Rodriguez was fired by Epstein, he says, when he called 911 after seeing a strange car—a "beater"—in Epstein's driveway.

As it turned out, the car had belonged to one of Epstein's masseuses.

On his way out of the house on El Brillo Way, he took some of Epstein's papers, which he failed to produce when questioned by Chief Reiter's investigators.

For years, Rodriguez tried and failed to find work as a house manager. No one wanted to hire someone who'd worked for

Jeffrey Epstein. Finally, desperately, he tried to sell the information he'd stolen.

The papers named underage girls and the places where Epstein had taken them. The list included locations in California, Paris, New Mexico, New York, and Michigan. The papers also included the names, addresses, and phone numbers of famous individuals—Henry Kissinger, Mick Jagger, Dustin Hoffman, Ralph Fiennes, David Koch, Ted Kennedy, Donald Trump, Bill Richardson, Bill Clinton, and former Israeli prime minister Ehud Barak among them.

This was intriguing, if not at all damning. Epstein made a habit of collecting such information for future use. But information pertaining to the girls would have bolstered the state's case against Jeffrey Epstein, and by withholding it from the Palm Beach PD and the FBI, Rodriguez had committed a crime.

In his defense, Rodriguez would say that the papers were an "insurance policy." Without them, he believed, Epstein would have made him "disappear."

But now Rodriguez needed the money. And so a few weeks after Epstein's release from the Stockade, he approached a lawyer who was representing some of Epstein's masseuses. He had the "holy grail," he insisted. A "golden nugget." The names of hundreds of girls, he said, who had been abused by Epstein.

The lawyer told Rodriguez in no uncertain terms that he was obliged to turn whatever he had over to the authorities. By demanding money for the information, Rodriguez was committing another crime.

According to a sworn statement by Christina Pryor, a special agent with the FBI, Rodriguez "persisted that he would only turn over the information in his possession in exchange for $50,000."

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continues:

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Two months later, on October 28, the lawyer called Rodriguez, who insisted once more on being paid for the information. The lawyer told him that an associate would be in touch.

What the lawyer knew and Rodriguez did not know was that the associate in question was an undercover employee (UCE) of the FBI. A few days later, on November 2, the UCE calls Rodriguez and sets up a meeting, which takes place the following day.

"During the meeting, Rodriguez produced a small bound book and several sheets of legal pad paper containing handwritten notes," Special Agent Pryor would say in her statement. She continues:

> *Rodriguez explained that he had taken the bound book from his former employer's residence while employed there in 2004 to 2005 and that the book had been created by persons working for his former employer. Rodriguez discussed in detail the information within the book and identified important information to the UCE. In addition, Rodriguez admitted he had previously lied to the FBI. Rodriguez asked the UCE about the $50,000, took possession of the money, and began counting it.*
>
> *Rodriguez was then detained for Obstruction of Official Proceedings, Title 18, U.S. Code, Section 1512(c), and questioned. After Miranda warnings were administered by agents, Rodriguez waived his rights and signed a written waiver of those rights. Rodriguez admitted that he had the documents and book in his possession and had never turned them over to local law enforcement or the FBI. In addition, Rodriguez*

> *advised he had witnessed nude girls whom he believed were underage at the pool area of his former employer's home, knew that his former employer was engaging in sexual contact with underage girls, and had viewed pornographic images of underage girls on computers in his employer's home. Rodriguez was then released from custody for further investigation.*
>
> *The items that Rodriguez had attempted to sell to the UCE for $50,000.00 were reviewed by an agent familiar with the underlying criminal investigation. As Rodriguez had described, the items contained information material to the underlying investigation that would have been extremely useful in investigati[ng] and prosecuting the case, including the names and contact information of material witnesses and additional victims. Had those items been produced in response to the inquiries of the state law enforcement officers or the FBI Special Agents, their contents would have been presented to the federal grand jury.*

Following his release, Alfredo Rodriguez was arrested again. He appeared in court on June 18, 2010, facing charges of corruptly concealing records and documents. Dressed in a blue jumpsuit and shackles, he apologized for his crimes and asked the court to be merciful.

He received a sentence of eighteen months.

It was the same punishment that Jeffrey Epstein had gotten for his crimes. But unlike Epstein, Alfredo Rodriguez served his time in a federal prison and did not ask for, or receive, permission to go on work release.

Prince Andrew: 2011

Prince Andrew also fares
imprisonment.
The two men are old
Ghislaine Maxwell introduced
time in the 1990s. In 2000, Eps
Castle to celebrate the queen's
flew to Sandringham, the queen
a party Prince Andrew threw for

The prince had also visited
Palm Beach as well as in New
Roberts made in her 2015 decla
asked her to give the prince w
back with the details.

According to the *Guardian,*
tied together at Windsor Castle,

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† ALSO ADMITTED TO NEW YORK BAR
◊ALSO ADMITTED TO WASHINGTON DC BAR

OF COUNSEL
MARÍA G. DÍAZ

E-MAIL:
[redacted]

June 19, 2019

VIA FEDERAL EXPRESS & EMAIL

Mr. Scott Link
Link & Rockenbach, PA
1555 Palm Beach Lakes Blvd., Suite 930
West Palm Beach, FL 33401
[redacted]

Re: [redacted]

Dear Mr. Link,

We represent [redacted] with reference to her claims against Jeffrey Epstein for childhood sexual abuse which occurred in New York City when she was [redacted] years old.

New York recently passed the Child Victims Act which creates a 1 year window for claims where the statute of limitations had expired. Therefore, [redacted] will be able to sue Mr. Epstein for the sexual abuse which she experienced while she was a minor.

[redacted] was the perfect victim.

She was born in [redacted], a town on the [redacted] coast. When [redacted] was four years old, [redacted] descended into civil war. At the age of six, her entire village was evacuated. She fled her hometown travelling through war zones on foot with her family, in a stream of refugees.

Her family settled in the outskirts of [redacted]. As refugees, with no money, her family lived together in one room, sharing a bathroom with other families. Her parents eventually found low paying, unskilled jobs. Their only clothing was what was provided to them by the Red Cross.

When she was ten years old, [redacted] family arrived in [redacted].

By the sixth grade, [redacted] was 5'10", beautiful and naturally slim. She desperately wanted to leave [redacted]. She learned about a talent search for models and persuaded her mother to take her. She was a huge success and began modeling at age fourteen. Though her parents disparaged her for marketing her appearance, they allowed her to work because she earned more than their combined income.

At age sixteen, [redacted] moved to New York City to model. She lived in an apartment for models, with one or two roommates and no adult on the premises. Her father was deeply ashamed of her because he disapproved of her profession and her parents distanced themselves.

[redacted] days were hectic with professional assignments. She worked with top tier clients and for DNA Modeling Agency, a well-known agency representing supermodels such as Linda Evangelista and Natalia Vodianova.

[redacted] was very innocent and inexperienced prior to meeting Mr. Epstein. At age sixteen, [redacted] experienced her first kiss. The director of a perfume campaign, Fabian Barron, wanted a kiss at the end of the commercial as a finale to a perfume ad. She dreaded her parents' reaction to seeing the commercial. She was raised in the Orthodox Christian Church where abstinence was encouraged.

[redacted] met Jeffrey Epstein when was sixteen years old. She was introduced through a fellow model a few years her senior.

Mr. Epstein seemed bigger than life. He did not drink or do drugs, which put her at ease. He was friends with former President Bill Clinton, the President who made it possible for [redacted] and her family to immigrate to America. When she told Mr. Epstein how her family came to America, Mr. Epstein said he would personally thank "Bill" for her. Mr. Epstein touted other impressive connections. He made it known that he had A list celebrities on speed-dial.

She felt very fortunate to have made the connection with Mr. Epstein.

As [redacted]s estrangement from her family increased, Mr. Epstein's role in her life became more and more important. He encouraged her and built her confidence. She trusted him completely.

Mr. Epstein told [redacted] that he was on the board of directors at Harvard University. He promised that once she took her SATs and obtained the scores she needed, he would write a letter of recommendation for her, which he said would carry significant weight with regard to her admission. Her dream was to establish herself as a successful model and to one day graduate from Harvard. Mr. Epstein made her feel that everything she wanted was possible.

[redacted] confided to him that she had never even had a boyfriend. He told her everything would fall into place, "just keep doing what you are doing, work hard and stay focused." She told Mr. Epstein that she preferred to abstain from sex until she was married.

The first time [redacted] asked her for a massage was to help with an ache in his shoulder. [redacted] thought it was an innocent request. He said his masseuse had failed to get a kink out of his shoulder. He gave her a large purple massager for her to use to take the knot out of his back. Mr. Epstein told her she was an excellent masseuse and she was pleased to be able to ease his pain.

When the massage ended, Mr. Epstein pulled two hundred dollars from his wallet and handed it to her. He said, "I was going to give it to the masseuse anyway, so you take it and pay for your car service or something."

Mr. Epstein began calling her every day, no matter where she was in the world. He told her he loved her. He became a vital part of [redacted] world as her parents remained distant. He invited her to stay at one of his apartments close to him on the Upper East Side. Her arduous work schedule, starting with 6:00 a.m. call times and shows running late into the night were exhausting. Epstein's daily check-up calls and pep talks gave her strength to survive her grinding schedule.

When in Paris, Mr. Epstein allowed her to stay at his home with her sister and arranged for a night out at a concert with Naomi Campbell. It appeared to [redacted] that Mr. Epstein's thoughts were focused on her career, future and good fortune.

The first time the purple massage tool found its way between her legs, [redacted] told him to stop, but Mr. Epstein pushed the head of the massager firmly against her and forced her legs apart. She felt ashamed and embarrassed. The massages became a ritual and were always accompanied with sexual abuse and a two-hundred dollar payment at the end.

Mr. Epstein approached her as if he was her mentor and teacher, teaching her about sexuality, opening her eyes. She experienced immense orgasms, and then shame and fear. She felt claustrophobia as she stared up into Mr. Epstein's church-like ceiling of the massage parlor while he fondled her. She felt she couldn't escape her position, and that this was the way it had to be because this powerful man orchestrated it. At the end of each massage he would make himself ejaculate by demanding she pay vigorous attention to his nipples with her fingers and he would tell her what a good girl she was, that he loved her and would call her later, which made everything seem better. Then he would open his wallet filled with hundred dollar bills and give her a couple, which she accepted as pocket money, never thinking twice about it.

[redacted] thought this is what it must feel like to become a woman. She was both thrilled and ashamed. She followed the path that Mr. Epstein set out for her because he said if she trusted him and did what he told her to do, everything would go according to his plan and her career would soar. Without him the world was a scary and unpredictable place. When she was with him, she felt like everything was right because of how much love and care she received from him. She started to think and believe that they would be together and that he would marry her.

He used the purple massage vibrator on her time and time again. She closed her eyes feeling lost, overwhelmed and out of control.

When he stuck his penis in her mouth, she did what she was told. She choked and gagged and when she tried to move her head away he forced it back into place. Mr. Epstein was extremely aggressive. When it was over he told her how amazing she was. She continued to believe in Mr. Epstein's friendship and guidance.

Mr. Epstein took her virginity. This was the trajectory for which he groomed her. [redacted] first sexual experience was devoid of tenderness or affection. She was stripped down and made to shower. Mr. Epstein told her, "If you're lying about being a virgin, or I get a disease from you, I'll kill you." She felt her mind separate from her body during intercourse.

She began to feel like a shell of her former self. She was mortified and in agony. She felt she had become everything her parents feared she would become. She was appearing in beauty magazines and making hundreds of thousands of dollars, but felt dirty and worthless. Mr. Epstein made her feel like nothing more than a teenage prostitute. Everything came crashing down once she realized that this was not love.

[redacted] left Mr. Epstein's residence for the last time feeling less than human. On her way out, she passed a young girl who appeared to be another young model. As [redacted] turned around to glance back, she saw the young woman entering Mr. Epstein's residence. She was disgusted with the realization that she was one of many called to "massage" Epstein.

[redacted] had a nervous breakdown while alone in New York. She found herself crying inconsolably, shaking, hyperventilating and unable to go to her castings and meetings. She was suicidal. She feared confiding in her agents and reaching out for help from them because she was so ashamed. She booked a ticket to go home.

She flew back to Kansas where her parents were living. She never returned to New York.

[redacted] was devastated with the realization of what she was lured into and how she had been victimized. It shattered her to her core. At the vulnerable age of 16, Mr. Epstein made himself the center of her existence and the master of her world. She realized she was a disposable pawn in his game. She could not talk about her years with Mr. Epstein because she was consumed with shame. At 16 years old, he isolated her and made himself her only emotional support system. Her mental torment and pain turned into depression. She was prescribed medication. She numbed herself and tried not to deal with what had happened. She tried to block the pain.

[redacted] was embarrassed that she had been used and abused. She withdrew and had no desire to model or interact with anyone in the modeling world anymore. [redacted] stopped taking calls from modeling agencies, and eventually they stopped calling for good. She was afraid to go to New York where her emotions and memories would be triggered.

The final contact between [redacted] and Mr. Epstein was when he tracked her parent's house phone number in Kansas and tried to speak to her. [redacted] mother grabbed the phone and told Mr. Epstein she was calling the police before hanging up on him.

Her career dwindled to nothing. Taking a break from the modeling industry when clients like Italian Vogue and Victoria's Secret were requesting bookings constituted career suicide.

In Kansas she became chronically depressed. She was suicidal before her 18th birthday. She called the suicide hotline many times from her home.

While in Kansas, a friend of [redacted] ent her an email with news that Mr. Epstein had been arrested for trafficking underaged girls. [redacted] felt as if she had gone from being a supermodel to becoming an unsuspecting prostitute. Her parents' warnings of what would become of her in New York had come to fruition. She fell prey to a child predator, Mr. Epstein, and it took her a decade to understand the gravity of what Epstein had done to her as a vulnerable young girl.

Mr. Epstein masqueraded as a loving mentor, a parental substitute and friend who had nothing but [redacted] s best interest in mind. The repercussions of the sexual and mental abuse [redacted] endured remain with her. Her first sexual encounters are forever scarred by memories of Mr. Epstein forcing his purple massage device between her legs amidst her cries for him to stop. Debilitating nausea and stomach pain followed her separation from him. She had no framework with which to reference what a "normal" sexual experience was. She remains plagued with self-doubt and insecurity and finds it nearly impossible to separate memories of Mr. Epstein's manipulation and abuse from new relationships she tries to develop.

The sexual abuse Mr. Epstein inflicted upon [redacted] left irreparable psychological scars. She has struggled and continues to struggle with her ability to maintain healthy relationships with men and in general. Her career is permanently compromised and the likelihood of recovering severed professional ties is non-existent.

Please contact us within ten days of this letter to advise whether Mr. Epstein is amenable to attempting to resolve [redacted]'s civil claims without litigation.

Very truly yours,

ALLRED, MAROKO & GOLDBERG

Gloria Allred
GLORIA ALLRED

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

Case No.:50 2009 CA 040800XXXXMBAG

JEFFREY EPSTEIN,

Plaintiff,

vs.

SCOTT ROTHSTEIN, individually, and
BRADLEY J. EDWARDS, individually,

Defendants,
_________________________________/

STATEMENT OF UNDISPUTED FACTS

Defendant Bradley J. Edwards, Esq., offers the following specific facts as the undisputed material facts in this case. Each of the following facts is numbered separately and individually to facilitate Epstein's required compliance with Fla. R. Civ. P. 1.510(c) ("The adverse party shall identify . . . any summary judgment evidence on which the adverse party relies."). All referenced exhibits and attachments have previously been filed with the Court and provided to Epstein.

Sexual Abuse of Children By Epstein

1. Defendant Epstein has a sexual preference for young children. Deposition of Jeffrey Epstein, Mar. 17, 2010, at 110 (hereinafter "Epstein Depo.") (Deposition Attachment #1).[1]

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[1] When questioned about this subject at his deposition, Epstein invoked his Fifth Amendment right to remain silent rather than make an incriminating admission. Accordingly, Edwards is entitled to the adverse inference against Epstein that, had Epstein answered, the answer would have been unfavorable to him. "[I]t is well-settled that the Fifth Amendment does not forbid adverse inferences against parties to

2. Epstein repeatedly sexually assaulted more than forty (40) young girls on numerous occasions between 2002 and 2005 in his mansion in West Palm Beach, Florida. These sexual assaults included vaginal penetration. Epstein abused many of the girls dozens if not hundreds of times. Epstein Depo. at 109 ("Q: How many times have you engaged in oral sex with females under the age of 18?" A: [Invocation of the Fifth Amendment]); Deposition of Jane Doe, September 24, 2009 and continued March 11, 2010, at 527 (minor girl sexually abused at least 17 times by Epstein) (hereinafter "Jane Doe Depo") (Deposition Attachment #2); *id.* 564-67 (vaginal penetration by Epstein with his finger), 568 (vaginal penetration by Epstein with a massager); Deposition of L.M., September 24, 2009, at 73 (hereinafter "L.M. Depo") (Deposition Attachment #3) (describing the manner in which Epstein abused her beginning when LM was 13 years old, touching her vagina with his fingers and vibrator) at 74, line 12-13 (she was personally molested by Epstein more than 50 times), at 164, line 19-23 and 141, line 12-13 and 605, line 3-6 (describing that in addition to being personally molested by Epstein she was paid $200 per underage girl she brought Epstein and she brought him more than seventy (70) underage girls - she told him that she did not want to bring him any more girls and he insisted that she continue to bring him underage girls); Deposition of E.W., May 6, 2010 (hereinafter "E.W. Depo") (Deposition Attachment #4) at 115-116, 131 and 255 (describing Epstein's abuse of her beginning at age 14 when he paid her for touching her vagina, inserting his fingers and

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civil actions when they refuse to testify in response to probative evidence offered against them." *Baxter v. Palmigiano,* 425 U.S. 308, 318 (1976); *accord Vasquez v. State*, 777 So.2d 1200, 1203 (Fla. App. 2001). The reason for this rule "is both logical and utilitarian. A party may not trample upon the rights of others and then escape the consequences by invoking a constitutional privilege – at least not in a civil setting." *Fraser v. Security and Inv. Corp.*, 615 So.2d 841, 842 (Fla. App. 1993).

using a vibrator and he also paid her $200 for each other underage female E.W. brought him to molest. She brought him between 20 and 30 underage females); Deposition of Jane Doe #4, date (hereinafter "Jane Doe #4 Depo") (Deposition Attachment #5) at 32-34, and 136 (she describes first being taken to Epstein at 15 years old, "Being fingered by him, having him use a vibrator on [me], grabbing my nipples, smelling my butt, jerking off in front of me, licking my clit, several times.").

3. At all relevant times Edwards has had a good faith basis to conclude and did conclude[2] that Epstein was able to access a large number of underage girls through a pyramid abuse scheme in which he paid underage victims $200-$300 cash for each other underage victim that she brought to him. *See* Palm Beach Police Incident Report at 87 (hereinafter "Incident Report") (Exhibit "A").[3] The Palm Beach Police Incident Report details Epstein's scheme for molesting underage females. Among other things, the Incident Report outlines some of the experiences of other Epstein victims. When S.G, a 14 year old minor at the time, was brought to Epstein's home, she was taken upstairs by a woman she believed to be Epstein's assistant. The woman started to fix up the room, putting covers on the massage table and bringing lotions out. The "assistant" then left the room and told S.G. that Epstein would be up in a second. Epstein walked over to S.G. and told her to take her clothes off in a stern voice. S.G. states in the report she did not know what to do, as she was the only one there. S.G. took off her shirt, leaving her bra on. Epstein, then in a towel told her to take off everything. S.G. removed her pants leaving

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[2] In support of all assertions concerning the actions Edwards took, what Edwards learned in the course of his representation of his clients, Edwards's good faith beliefs and the foundation for those beliefs, see Edwards Affidavit and specifically paragraphs 25 and 25 of that Affidavit.

[3] For clarity, depositions attached to this memorandum will be identified numerically as attachments #1, #2, #3, etc., while exhibits attached to this memorandum will be identified alphabetically as exhibits A, B, C, etc.

on her thong panties. Epstein then instructed S.G to give him a massage. As S.G gave Epstein a massage, Epstein turned around and masturbated. S.G. was so disgusted, she did not say anything; Epstein told her she "had a really hot body." *Id.* at 14. In the report, S.G. admitted seeing Jeffrey Epstein's penis and stated she thought Epstein was on steroids because he was a "really built guy and his wee wee was very tiny." *Id. at* 15.

4. The exact number of minor girls who Epstein assaulted is known only to Epstein. However, Edwards had a good faith basis to believe and did in fact believe that Epstein's victims were substantially more than forty (40) in number. In addition to the deposition excerpts from two of his many victims above about the number of underage girls brought to Epstein and the Palm Beach incident report, there is overwhelming proof that the number of underage girls molested by Epstein through his scheme was in the hundreds. *See* Complaint, Jane Doe 102 v. Epstein, (hereinafter Jane Doe 102 complaint) (Exhibit "B"); *see also* Deposition of Jeffrey Epstein, April 14, 2010, at 442, 443, and 444 (Epstein invoking the 5th on questions about his daily abuse and molestation of children) (Deposition Attachment #6).

5. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that Epstein and his attorneys knew of the seriousness of the criminal investigation against him and corresponded constantly with the United States Attorney's Office in an attempt to avoid the filing of numerous federal felony offenses, which effort was successful. *See* Correspondence from U.S. Attorney's Office to Epstein (hereinafter "U.S. Attorney's Correspondence") (Composite Exhibit "C) (provided in discovery during the Jane Doe v. Epstein case).

6. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that, more specifically, Epstein's attorneys knew of Epstein's scheme to recruit minors for sex and also knew that these minors had civil actions that they could bring against him. In fact, there was much communication between Epstein's attorneys and the United States Prosecutors in a joint attempt to minimize Epstein's civil exposure. For example, on October 3, 2007, Assistant U.S. Attorney Marie Villafaña sent an email (attached hereto as Exhibit "D") to Jay Lefkowitz, counsel for Epstein, with attached proposed letter to special master regarding handling numerous expected civil claims against Epstein. The letter reads in pertinent part,

> "The undersigned, as counsel for the United States of America and Jeffrey Epstein, jointly write to you to provide information relevant to your service as a Special Master in the selection of an attorney to represent several young women who may have civil damages claims against Mr. Epstein. The U.S. Attorney's Office and the Federal Bureau of Investigation (jointly referred to as the "United States") have conducted an investigation of Jeffrey Epstein regarding his solicitation of minor females in Palm Beach County to engage in prostitution. Mr. Epstein, through his assistants, would recruit underage females to travel to his home in Palm Beach to engage in lewd conduct in exchange for money. Based upon the investigation, the United States has identified forty (40) young women who can be characterized as victims pursuant to 18 USC 2255. Some of those women went to Mr. Epstein's home only once, some went there as much as 100 times or more. Some of the women's conduct was limited to performing a topless or nude massage while Mr. Epstein masturbated himself. For other women, the conduct escalated to full sexual intercourse. As part of the resolution of the case, Epstein has agreed that he would not contest jurisdiction in the Southern District of Florida for any victim who chose to sue him for damages pursuant to 18 USC 2255. Mr. Epstein agreed to provide an attorney for victims who elected to proceed exclusively pursuant to that section, and agreed to waive any challenge to liability under that section up to an amount agreed to by the parties. The parties have agreed to submit the selection of an attorney to a Special Master...."

7. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that L.M. was, in fact, a victim of Epstein's criminal abuse because L.M. was one of the

minor females that the United States Attorney's Office recognized as a victim. L.M.'s sworn deposition testimony and the adverse inference drawn from Epstein's refusal to testify confirm that Epstein began sexually assaulting L.M. when she was 13 years old and continued to molest her on more than fifty (50) occasions over three (3) years. Epstein Depo., Attachment #1, at 17 ("Q: Did you . . . ever engage in any sexual conduct with L.M.?" A: [Invocation of the Fifth Amendment].); *see also* Epstein Depo., April 14, 2010, Attachment #6, at 456 ("Q: LM was an underage female that you first abused when she was 13 years old; is that correct?" A: [Invocation of Fifth Amendment].)

8. Epstein was also given ample opportunity to explain why he engaged in sexual activity with L.M. beginning when L.M. was 13 years old and why he has molested minors on an everyday basis for years, and he invoked his 5th amendment right rather than provide explanation. *See* Epstein Deposition, February 17, 2010, at 11-12, 30-31 (Deposition Attachment # 7).

9. Epstein also sexually assaulted E.W., beginning when she was 14 years old and did so on numerous occasions. *See* E.W. Depo., Attachment #4 at 215-216.

10. Another of the minor girls Epstein sexually assaulted was Jane Doe; the abuse began when Jane Doe was 14 years old. Rather than incriminate himself, Epstein invoked the 5th amendment to questions about him digitally penetrating Doe's vagina, using vibrators on her vagina and masturbating and ejaculating in her presence. Epstein Depo., April 14, 2010, Attachment #6, at 420, 464, 468.

11. When Edwards's clients L.M., E.W., and Jane Doe were 13 or 14 years old, each was brought to Epstein's home multiple times by another underage victim. Epstein engaged in

one or more of the following acts with each of the then-minor girls at his mansion: receiving a topless or completely nude massage; using a vibrator on her vagina; masturbating in her presence; ejaculating in her presence; touching her breast or buttocks or vagina or the clothes covering her sexual organs; and demanding that she bring him other underage girls. Epstein and his co-conspirators used the telephone to contact these girls to entice or induce them into going to his mansion for sexual abuse. Epstein also made E.W. perform oral sex on him and was to perform sex acts on Nadia Marcinkova (Epstein's live-in sex slave) in Epstein's presence. *See* Plaintiff Jane Doe's Notice Regarding Evidence of Similar Acts of Sexual Assault, filed in Jane Doe v. Epstein, No. 08-cv-80893 (S.D. Fla. 2010), as DE 197, (hereinafter "Rule 413 Notice") (Exhibit "E"); Jane Doe Depo., Attachment #2, at 379-380; L.M. Depo., Attachment #3, at 416; E.W. Depo, Attachment #4, at 205.

12. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that yet another of the minor girls Epstein sexually assaulted was C.L. When she was approximately 15 years old, C.L. was brought to Epstein's home by another underage victim. While a minor, she was at Epstein's home on multiple occasions. Epstein engaged in one or more of the following acts with her while she was a minor at his house - topless or completely nude massage on Epstein; Epstein used a vibrator on her vagina; Epstein masturbated in her presence; Epstein ejaculated in her presence; Epstein also demanded that she bring him other underage girls. *See* Rule 413 Notice, Exhibit "E"; Incident Report, Exhibit "A."

13. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that yet another girl Epstein sexually assault was A.H. When she was approximately 16 years old, she was brought to Epstein's home by another underage victim. While a minor, she

was at Epstein's home on multiple occasions. Epstein engaged in one or more of the following acts with her while she was a minor at his house - topless or completely nude massage on Epstein; Epstein used a vibrator on her vagina; Epstein masturbated in her presence; Epstein ejaculated in her presence; Epstein touched her breast or buttock or vagina or the clothes covering her sexual organs; was made to perform sex acts on Epstein; made to perform sex acts on Nadia Marcinkova in Epstein's presence. Epstein also forcibly raped this underage victim, as he held her head down against her will and pumped his penis inside her while she was screaming "No". *See* Rule 413 Notice, Exhibit "E"; Incident Report, Exhibit "A", at 41 (specifically discussing the rape):

> "[A.H.] remembered that she climaxed and was removing herself from the massage table. [A.H.] asked for a sheet of paper and drew the massage table in the master bathroom and where Epstein, Marcinkova and she were. Epstein turned [A.H.] on to her stomach on the massage bed and inserted his penis into her vagina. [A.H.] stated Epstein began to pump his penis in her vagina. [A.H.] became upset over this. She said her head was being held against the bed forcibly, as he continued to pump inside her. She screamed no, and Epstein stopped ...."

> "[A.H.] advised there were times that she was so sore when she left Epstein's house. [A.H.] advised she was ripped, torn, in her vagina area. [A.H.] advised she had difficulty walking to the car after leaving the house because she was so sore."

14. Without detailing each fact known about Epstein's abuse of the many underage girls, Edwards has had a good faith basis to believe and did in fact believe at all relevant times that Epstein also abused other victims in ways closely similar to those described in the preceding paragraphs. Epstein's additional victims include the following (among many other) young girls: S.G.; A.D.; V.A.; N.R.; J.S.; V.Z.; J.A.; F.E.; M.L.; M.D.; D.D.; and D.N. These girls were between the ages of 13 and 17 when Epstein abused them. *See* Rule 413 Notice, Exhibit E; Deposition of E.W., Deposition Attachment #4.

15. One of Mr. Epstein's household employees, Mr. Alfredo Rodriguez, saw numerous underage girls coming into Epstein's mansion for purported "massages." *See* Rodriguez Depo. at 242-44 (Deposition Attachment #8). Rodriguez was aware that "sex toys" and vibrators were found in Epstein's bedroom after the purported massages. *Id.* at 223-28. Rodriguez thought what Epstein was doing was wrong, given the extreme youth of the girls he saw. *Id.* at 230-31.

16. Alfredo Rodriguez took a journal from Epstein's computer that reflected many of the names of underage females Epstein abused across the country and the world, including locations such as Michigan, California, West Palm Beach, New York, New Mexico, and Paris, France. *See* Journal (hereinafter "The Journal" or "Holy Grail") (Exhibit "F") (identifying, among other Epstein acquaintances, females that Rodriguez believes were underage under the heading labeled "Massages").

17. Rodriguez was later charged in a criminal complaint with obstruction of justice in connection with trying to obtain $50,000 from civil attorneys pursuing civil sexual assault cases against Epstein as payment for producing the book to the attorneys. *See* Criminal Complaint at 2, U.S. v. Rodriguez, No. 9:10-CR-80015-KAM (S.D. Fla. 2010) (Exhibit "G"). Rodriguez stated he needed money because the journal was his "property" and that he was afraid that Jeffrey Epstein would make him "disappear" unless he had an "insurance policy" (i.e., the journal). *Id.* at 3. Because of the importance of the information in the journal to the civil cases, Mr. Rodriguez called it "The Holy Grail."

18. In the "Holy Grail" or "The Journal," among the many names listed (along with the abused girls) are some of the people that Epstein alleges in his Complaint had "no connection

whatsoever" with the litigation in this case. *See, e.g.,* Journal, Exhibit F, at 85 (Donald Trump); at 9 (Bill Clinton phone numbers listed under "Doug Bands").

Federal Investigation and Plea Agreement With Epstein

19. In approximately 2005, the FBI and the U.S. Attorney's Office in the Southern District of Florida learned of Epstein's repeated sexual abuse of minor girls. They began a criminal investigation into federal offenses related to his crimes. *See* U.S. Attorney's Correspondence, Exhibit "C".

20. At all relevant times Edwards has had a good faith basis to believe and did in fact believe that to avoid the Government learning about his abuse of minor girls, Epstein threatened his employees and demanded that they not cooperate with the government. Epstein's aggressive witness tampering was so severe that the United States Attorney's Office prepared negotiated plea agreements containing these charges. For example, in a September 18, 2007, email from AUSA Villafaña to Lefkowitz (attached hereto as Exhibit "H"), she attached the proposed plea agreement describing Epstein's witness tampering as follows:

> "UNITED STATES vs. JEFFREY EPSTEIN PLEA PROFFER"
>
> On August 21, 2007, FBI Special Agents E. Nesbitt Kuyrkendall and Jason Richards traveled to the home of Leslie Groff to serve her with a federal grand jury subpoena with an investigation pending in the Southern District of Florida. Ms. Groff works as the personal assistant of the defendant. Ms. Groff began speaking with the agents and then excused herself to go upstairs to check on her sleeping child. While upstairs, Ms. Groff telephoned the defendant, Jeffrey Epstein, and informed him that the FBI agents were at her home. Mr. Epstein instructed Ms. Groff not to speak with the agents and reprimanded her for allowing them into her home. Mr. Epstein applied pressure to keep Ms. Groff from complying with the grand jury subpoenas that the agents had served upon her. In particular, Mr. Epstein warned Ms. Groff against turning over documents and electronic evidence responsive to the subpoena and pressured her to delay her

> appearance before the grand jury in the Southern District of Florida. This conversation occurred when Mr. Epstein was aboard his privately owned civilian aircraft in Miami in the Southern District of Florida. His pilot had filed a flight plan showing the parties were about to return to Teterboro, NJ. After the conversation with Ms. Groff, Mr. Epstein became concerned that the FBI would try to serve his traveling companion, Nadia Marcinkova, with a similar grand jury subpoena. In fact, the agents were preparing to serve Ms. Marcinkova with a target letter when the flight landed in Teterboro. Mr. Epstein then redirected his airplane, making the pilot file a new flight plan to travel to the US Virgin Islands instead of the New York City area, thereby keeping the Special Agents from serving the target letter on Nadia Marcinkova. During the flight, the defendant verbally harassed Ms. Marcinkova, harassing and pressuring her not to cooperate with the grand jury's investigation, thereby hindering and dissuading her from reporting the commission of a violation of federal law to a law enforcement officer, namely, Special Agents of the FBI. Epstein also threatened and harassed Sarah Kellen against cooperating against him as well.

21. Edwards learned that the Palm Beach police department investigation ultimately led to the execution of a search warrant at Epstein's mansion in October 2005. *See* Police Incident Report, Exhibit "A".

22. Edwards learned that at around the same time, the Palm Beach Police Department also began investigating Epstein's sexual abuse of minor girls. They also collected evidence of Epstein's involvement with minor girls and his obsession with training sex slaves, including pulling information from Epstein's trash. Their investigation showed that Epstein ordered from Amazon.com on about September 4, 2005, such books as: SM101: A Realistic Introduction, by Jay Wiseman; SlaveCraft: Roadmaps for Erotic Servitude - Principles, Skills, and Tools, by Guy Baldwin; and Training with Miss Abernathy: A Workbook for Erotic Slaves and Their Owners, by Christina Abernathy. *See* Receipt for Sex Slave Books (Exhibit "I").

23. The Palm Beach incident reports provided Edwards with the names of numerous witnesses that participated in Epstein's child molestation criminal enterprise and also provided

Edwards with some insight into how far-reaching Epstein's power was and how addicted Epstein was to sex with children. *See* Incident Report, Exhibit "A".

24. The Palm Beach Police Department also collected Epstein's message pads, which provided other names of people that also knew Epstein's scheme to molest children. *See* Message Pads (Exhibit "J") (note: the names of underage females have been redacted to protect the anonymity of the underage sex abuse victims). Those message pads show clear indication that Epstein's staff was frequently working to schedule multiple young girls between the ages of 12 and 16 years old literally every day, often two or three times per day. *Id.*

25. In light of all of the information of numerous crimes committed by Epstein, Edwards learned that the U.S. Attorney's Office began preparing the filing of federal criminal charges against Epstein. For example, in addition to the witness tampering and money laundering charges the U.S. Attorney's Office prepared an 82-page prosecution memo and a 53-page indictment of Epstein related to his sexual abuse of children. On September 19, 2007, at 12:14 PM, AUSA Villafaña wrote to Epstein's counsel, Jay Lefkowitz, "Jay - I hate to have to be firm about this, but we need to wrap this up by Monday. I will not miss my indictment date when this has dragged on for several weeks already and then, if things fall apart, be left in a less advantageous position than before the negotiations. I have had an 82-page pros memo and 53-page indictment sitting on the shelf since May to engage in these negotiations. There has to be an ending date, and that date is Monday." These and other communications are within the correspondence attached as Composite Exhibit "C."

26. Edwards learned that rather than face the filing of federal felony criminal charges, Epstein (through his attorneys) engaged in plea bargain discussions. As a result of those

discussions, on September 24, 2007, Epstein signed an agreement with the U.S. Attorney's Office for the Southern District of Florida. Under the agreement, Epstein agreed to plead guilty to an indictment pending against him in the 15th Judicial Circuit in and for Palm Beach County charging him with solicitation of prostitution and procurement of minors for prostitution. Epstein also agreed that he would receive a thirty month sentence, including 18 months of jail time and 12 months of community control. In exchange, the U.S. Attorney's Office agreed not to pursue any federal charges against Epstein. *See* Non-Prosecution Agreement (Exhibit "K").

27. Part of the Non-Prosecution Agreement that Epstein negotiated was a provision in which the federal government agreed not to prosecute Epstein's co-conspirators. The co-conspirators procured minor females to be molested by Epstein. One of the co-conspirators - Nadia Marcinkova -even participated in the sex acts with minors (including E.W.) and Epstein. *See* Incident Report, Exhibit "A", at 40-42, 49-51; Deposition of Nadia Marcinkova, April 13, 2010, (hereinafter "Marcinkova Depo.") at 11 (Deposition attachment #9).

28. Under the Non-Prosecution Agreement, Epstein was to use his "best efforts" to enter into his guilty pleas by October 26, 2007. However, Edwards learned that Epstein violated his agreement with the U.S. Attorney's Office to do so and delayed entry of his plea. *See* Letter from U.S. Attorney R. Alexander Acosta to Lilly Ann Sanchez, Dec. 19, 2007 (Exhibit "L").

29. On January 10, 2008 and again on May 30, 2008 E.W. and L.M. received letters from the FBI advising them that "[t]his case is currently under investigation. This can be a lengthy process and we request your continued patience while we conduct a thorough investigation." Letters attached at Composite Exhibit "M". This document is evidence that the FBI did not notify E.W. and L.M. that a plea agreement had already been reached that would

block federal prosecution of Epstein. Nor did the FBI notify E.W. and L.M. of any of the parts of the plea agreement. Nor did the FBI or other federal authorities confer with E.W. and L.M. about the plea. *See id.*

30. In 2008, Edwards believed in good faith that criminal prosecution of Epstein was extremely important to his clients E.W. and L.M. and that they desired to be consulted by the FBI and/or other representatives of the federal government about the prosecution of Epstein. The letters that they had received around January 10, 2008, suggested that a criminal investigation of Epstein was on-going and that they would be contacted before the federal government reached any final resolution of that investigation. *See id.*

Edwards Agrees to Serve as Legal Counsel for Three Victims of Epstein's Sexual Assaults

31. In about April 2008, Bradley J. Edwards, Esq., was a licensed attorney in Florida, practicing as a sole practitioner. As a former prosecutor, he was well versed in civil cases that involved criminal acts, including sexual assaults. Three of the many girls Epstein had abused – L.M., E.W., and Jane Doe – all requested that Edwards represent them civilly and secure appropriate monetary damages against Epstein for repeated acts of sexual abuse while they were minor girls. Two of the girls (L.M. and E.W.) also requested that Edwards represent them in connection with a concern that the Federal Bureau of Investigation (FBI) and U.S. Attorney's Office might be arranging a plea bargain for the criminal offenses committed by Epstein without providing them the legal rights to which they were entitled (including the right to be notified of plea discussions and the right to confer with prosecutors about any plea arrangement). *See*

Affidavit of Bradley J. Edwards, Esq. at ¶1 - 2, ¶4 (hereinafter "Edwards Affidavit") (Exhibit "N").

32. On June 13, 2008, attorney Edwards agreed to represent E.W.; on July 2, 2008, attorney Edwards agreed to represent Jane Doe; and, on July 7, 2008, attorney Edwards agreed to represent L.M. in connection with the sexual assaults committed by Epstein and to insure that their rights as victims of crimes were protected in the criminal process on-going against Epstein. Mr. Edwards and his three clients executed written retention agreements. *See id.* at ¶2.

33. In mid June of 2008, Edwards contacted AUSA Villafaña to inform her that he represented Jane Doe #1 and, later, Jane Doe #2. AUSA Villafaña did not advise that a plea agreement had already been negotiated with Epstein's attorneys that would block federal prosecution. To the contrary, AUSA Villafaña mentioned a possible indictment. AUSA Villafaña did indicate that federal investigators had concrete evidence and information that Epstein had sexually molested many underage minor females, including E.W., LM, and Jane Doe. *See id.* at ¶4.

34. Edwards also requested from the U.S. Attorney's Office the information that they had collected regarding Epstein's sexual abuse of his clients. However, the U.S. Attorney's Office, declined to provide any such information to Edwards. It similarly declined to provide any such information to the other attorneys who represented victims of Epstein's sexual assaults. At the very least, this includes the items that were confiscated in the search warrant of Epstein's home, including dildos, vibrators, massage table, oils, and additional message pads. *See* Property Receipt (Exhibit "O").

35. On Friday, June 27, 2008, at approximately 4:15 p.m., AUSA Villafaña received a copy of Epstein's proposed state plea agreement and learned that the plea was scheduled for 8:30 a.m., Monday, June 30, 2008. AUSA Villafaña called Edwards to provide notice to his clients regarding the hearing. AUSA Villafaña did not tell Attorney Edwards that the guilty pleas in state court would bring an end to the possibility of federal prosecution pursuant to the plea agreement. *See* Edwards Affidavit, Exhibit "N", at ¶6.

36. Under the Crime Victims' Rights Act (CVRA), 18 U.S.C. § 3771, victims of federal crimes – including E.W. and L.M. – are entitled to basic rights during any plea bargaining process, including the right to be treated with fairness, the right to confer with prosecutors regarding any plea, and the right to be heard regarding any plea. The process that was followed leading to the non-prosecution of Epstein violated these rights of E.W. and L.M. *See* Emergency Petn. for Victim's Enforcement of Crime Victim's Rights, No. 9:08-CV-80736-KAM (S.D. Fla. 2008) (Exhibit "P").

37. Because of the violation of the CVRA, on July 7, 2008, Edwards filed an action in the U.S. District Court for the Southern District of Florida, Case No. 9:08-CV-80736, seeking to enforce the rights of E.W. and L.M. That action alleged that the U.S. Attorney's Office had failed to provide E.W. and L.M. the rights to which they were entitled under the Act, including the right to be notified about a plea agreement and to confer with prosecutors regarding it. *See id.*

38. On July 11, 2008, Edwards took E.W. and L.M. with him to the hearing on the CVRA action. It was only at this hearing that both victims learned for the first time that the plea deal was already done with Epstein and that the criminal case against Epstein had been

effectively terminated by the U.S. Attorney's office. *See* Hearing Transcript, July 11, 2008 (Exhibit "Q").

39. Edwards learned that Jane Doe felt so strongly that the plea bargain was inappropriate that she made her own determination to appear on a television program and exercise her First Amendment rights to criticize the unduly lenient plea bargain Epstein received in a criminal case.

40. The CVRA action that Edwards filed was recently administratively closed and Edwards filed a Motion to reopen that proceeding. *See* No. 9:08-CV-80736 (S.D. Fla.).

Epstein's Entry of Guilty Pleas to Sex Offenses

41. Ultimately, on June 30, 2008, in the Fifteenth Judicial Circuit in Palm Beach County, Florida, defendant Epstein, entered pleas of "guilty" to various Florida state crimes involving the solicitation of minors for prostitution and the procurement of minors for the purposes of prostitution. *See* Plea Colloquy (Exhibit "R").

42. As a condition of that plea, and in exchange for the Federal Government not prosecuting the Defendant, Epstein additionally entered into an agreement with the Federal Government acknowledging that approximately thirty-four (34) other young girls could receive payments from him under the federal statute providing for compensation to victims of child sexual abuse, 18 U.S.C. § 2255. As had been agreed months before, the U.S. Attorney's Office did not prosecute Epstein federally for his sexual abuse of these minor girls. *See* Addendum to Non-Prosecution Agreement (Exhibit "S") (in redacted form to protect the identities of the minors involved).

43. Because Epstein became a convicted sex offender, he was not to have contact with any of his victims. During the course of his guilty pleas on June 30, 2008, Palm Beach Circuit Court Judge Deborah Dale Pucillo ordered Epstein "not to have any contact, direct or indirect" with any victims. She also expressly stated that her no-contact order applied to "all of the victims." Similar orders were entered by the federal court handling some of the civil cases against Epstein. The federal court stated that it "finds it necessary to state clearly that Defendant is under this court's order not to have direct *or indirect contact* with any plaintiffs . . . ." Order, Case No. 9:08-cv-80119 (S.D. Fla. 2008), [DE 238] at 4-5 (emphasis added); *see also* Order, Case No. 9:08-cv-80893, [DE 193] at 2 (emphasis added).

Edwards Files Civil Suits Against Epstein

44. Edwards had a good faith belief that his clients felt angry and betrayed by the criminal system and wished to prosecute and punish Epstein for his crimes against them in whatever avenue remained open to them. On August 12, 2008, at the request of his client Jane Doe, Brad Edwards filed a civil suit against Jeffrey Epstein to recover damages for his sexual assault of Jane Doe. *See* Edwards Affidavit, "N" at ¶7. Included in this complaint was a RICO count that explained how Epstein ran a criminal conspiracy to procure young girls for him to sexually abuse. *See* Complaint, Jane Doe v. Epstein (Exhibit "T").

45. On September 11, 2008, at the request of his client E.W., Brad Edwards filed a civil suit against Jeffrey Epstein to recover damages for his sexual assault of E.W. *See* Complaint, E.W. v. Epstein (Exhibit "U").

46. On September 11, 2008, at the request of his client L.M.., Brad Edwards filed a civil suit against Jeffrey Epstein to recover damages for his sexual assault of L.M. *See* Complaint, L.M. v. Epstein, (Exhibit "V").

47. Jane Doe's federal complaint indicated that she sought damages of more than $50,000,000. Listing the amount of damages sought in the complaint was in accord with other civil suits that were filed against Epstein (before any lawsuit filed by Edwards). *See* Complaint, Jane Doe #4 v. Epstein (Exhibit "W") (filed by Herman and Mermelstein, PA).

48. At about the same time as Edwards filed his three lawsuits against Epstein, other civil attorneys were filing similar lawsuits against Epstein. For example, on or about April 14, 2008 another law firm, Herman and Mermelstein, filed the first civil action against Epstein on behalf of one of its seven clients who were molested by Epstein. The complaints that attorney Herman filed on behalf of his seven clients were similar in tenor and tone to the complaint that Edwards filed on behalf of his three clients. *See id.*

49. Over the next year and a half, more than 20 other similar civil actions were filed by various attorneys against Epstein alleging sexual assault of minor girls. These complaints were also similar in tenor and tone to the complaint that Edwards filed on behalf of his clients. These complaints are all public record and have not been attached, but are available in this Court's files and the files of the U.S. District Court for the Southern District of Florida.

50. In addition to the complaints filed against Epstein in Florida, a female in New York, Ava Cordero, filed a lawsuit against Epstein in New York making similar allegations - that Epstein paid her for a massage then forced her to give him oral sex and molested her in other ways when she was only 16 years old. Cordero was born a male, and in her complaint she

alleges that Epstein told her during the "massage", "I love how young you are. You have a tight butt like a baby". *See* Jeff Epstein Sued for "Repeated Sexual Assaults" on Teen, New York Post, October 17, 2007, by Dareh Gregorian, link at: http://www.nypost.com/p/news/regional/item_44zlWyLUFH7R1OUtKYGPbP;jsessionid=6CA3EBF1BEF68F5DE14BFB2CAA5C37E0. *See* Article attached hereto as Exhibit "X".

51. Edwards's three complaints against Epstein contained less detail about sexual abuse than (as one example) a complaint filed by attorney Robert Josephsberg from the law firm of Podhurst Orseck. *See* Complaint, Jane Doe 102 v. Epstein (Exhibit "B"). As recounted in detail in this Complaint, Jane Doe 102 was 15 years old when Ghislaine Maxwell discovered her and lured her to Epstein's house. Maxwell and Epstein forced her to have sex with both of them and within weeks Maxwell and Epstein were flying her all over the world. According to the Complaint, Jane Doe 102 was forced to live as one of Epstein's underage sex slaves for years and was forced to have sex with not only Maxwell and Epstein but also other politicians, businessmen, royalty, academicians, etc. She was even made to watch Epstein have sex with three 12-year-old French girls that were sent to him for his birthday by a French citizen that is a friend of Epstein's. Luckily, Jane Doe 102 escaped to Australia to get away from Epstein and Maxwell's sexual abuse.

52. Edwards learned that in addition to civil suits that were filed in court against Epstein, at around the same time other attorneys engaged in pre-filing settlement discussions with Epstein. Rather than face filed civil suits in these cases, Epstein paid money settlements to more than 15 other women who had sexually abused while they were minors. *See* articles regarding settlements attached hereto as Composite Exhibit "Y."

Epstein's Obstruction of Normal Discovery and Attacks on His Victims

53. Once Edwards filed his civil complaints for his three clients, he began the normal process of discovery for cases such as these. He sent standard discovery requests to Epstein about his sexual abuse of the minor girls, including requests for admissions, request for production, and interrogatories. *See* Edwards Affidavit, Exhibit "N", at ¶¶11-19 and 25.

Rather than answer any substantive questions about his sexual abuse and his conspiracy for procuring minor girls for him to abuse, Epstein invoked his 5th amendment right against self-incrimination. An example of Epstein's refusal to answer is attached as Composite Exhibit "Z" (original discovery propounded to Epstein and his responses invoking 5th amendment).

54. During the discovery phase of the civil cases filed against Epstein, Epstein's deposition was taken at least five times. During all of those depositions, Epstein refused to answer any substantive questions about his sexual abuse of minor girls. *See, e.g.,* Deposition Attachments 1, 6 and 7.

55. During these depositions, Epstein further attempted to obstruct legitimate questioning by inserting a variety of irrelevant information about his case. As one of innumerable examples, on March 8, 2010, Mr. Horowitz, representing seven victims, Jane Doe's 2-8, asked, "Q: In 2004, did you rub Jane Doe 3's vagina? A: Excuse me. I'd like to answer that question, as I would like to answer mostly every question you've asked me here today; however, upon advice of counsel, I cannot answer that question. They've advised me I must assert my Sixth Amendment, Fifth Amendment and Fourteenth Amendment Rights against self--excuse me, against--under the Constitution. And though your partner, Jeffrey Herman, was disbarred after filing this lawsuit [a statement that was untrue], Mr. Edwards' partner sits in jail for

fabricating cases of a sexual nature fleecing unsuspecting Florida investors and others out of millions of dollars for cases of a sexual nature with--I'd like to answer your questions; however if I--I'm told that if I do so, I risk losing my counsel's representation; therefore I must accept their advice." Epstein deposition, March 8, 2010, at 106 (Deposition attachment #10).

56. When Edwards had the opportunity to take Epstein's deposition, he only asked reasonable questions, all of which related to the merits of the cases against Epstein. All depositions of Epstein in which Mr. Edwards participated on behalf of his clients are attached to this motion. *See* Edwards Affidavit, Exhibit "N" at ¶11 and Deposition attachments #1, 6, 7, 10, 11, 12, and 13. Cf. with Deposition of Epstein taken by an attorney representing BB (one in which Edwards was not participating), http://www.youtube.com/watch?v=V-dqoEyYXx4; and http://www.youtube.com/watch?v=YCNiYltW-r0

57. Edwards's efforts to obtain information about Epstein's organization for procuring young girls was also blocked because Epstein's co-conspirators took the Fifth. Deposition of Sarah Kellen, March 24, 2010 (hereinafter "Kellen Depo.") (Deposition attachment #14); Deposition of Nadia Marcinkova, April 13, 2010, (Deposition attachment #9); Deposition of Adriana Mucinska Ross, March 15, 2010 (hereinafter "Ross Depo.") (Deposition attachment #15). Each of these co-conspirators invoked their respective rights against self-incrimination as to all relevant questions, and the depositions have been attached.

58. At all relevant times Edwards has had a good faith basis to believe and did in fact believe Sarah Kellen was an employee of Epstein's and had been identified as a defendant in at least one of the complaints against Epstein for her role in bringing girls to Epstein's mansion to be abused. At the deposition, she was represented by Bruce Reinhart. She invoked the Fifth on

all substantive questions regarding her role in arranging for minor girls to come to Epstein's mansion to be sexually abused. Reinhart had previously been an Assistant United States Attorney in the U.S. Attorney's Office for the Southern District of Florida when Epstein was being investigated criminally by Reinhart's office. Reinhart left the United States Attorney's Office and was immediately hired by Epstein to represent Epstein's pilots and certain co-conspirators during the civil cases against Epstein. *See* Edwards Affidavit, Exhibit "N" at ¶11.

59. Edwards also had other lines of legitimate discovery blocked through the efforts of Epstein and others. For example, Edwards learned through deposition that Ghislaine Maxwell was involved in managing Epstein's affairs and companies. *See* deposition of Epstein's house manager Janusz Banziak, February 16, 2010 at page 14, lines 20-23 (Deposition Attachment #16); *See* deposition of Epstein's housekeeper Louella Rabuyo, October 20, 2009, page 9, lines 17-25 (Deposition Attachment #17); *See* deposition of Epstein's pilot Larry Eugene Morrison, October 6, 2009, page 102-103 (Deposition Attachment #18); *See* deposition of Alfredo Rodriguez, August 7, 2009, page 302-306 and 348 (Deposition Attachment #8); *See* also Prince Andrew's Friend, Ghislaine Maxwell, Some Underage Girls and A Very Disturbing Story, September 23, 2007 by Wendy Leigh, link at http://www.redicecreations.com/article.php?id=1895OHANNA SJOBERG. Exhibit "AA".

60. Alfredo Rodriguez testified that Maxwell took photos of girls without the girls' knowledge, kept the images on her computer, knew the names of the underage girls and their respective phone numbers and other underage victims were molested by Epstein and Maxwell together. *See* Deposition of Rodriguez, Deposition attachment # 8 at 64, 169-170 and 236.

61. In reasonable reliance on this and other information, Edwards served Maxwell for deposition in 2009. *See* Deposition Notice attached as Exhibit "BB." Maxwell was represented by Brett Jaffe of the New York firm of Cohen and Gresser, and Edwards understood that her attorney was paid for (directly or indirectly) by Epstein. She was reluctant to give her deposition, and Edwards tried to work with her attorney to take her deposition on terms that would be acceptable to both sides. The result was the attached confidentiality agreement, under which Maxwell agreed to drop any objections to the deposition, attached hereto as Exhibit "CC." Maxwell, however, contrived to avoid the deposition. On June 29, 2010, one day before Edwards was to fly to NY to take Maxwell's deposition, her attorney informed Edwards that Maxwell's mother was deathly ill and Maxwell was consequently flying to England with no intention of returning to the United States. Despite that assertion, Ghislaine Maxwell was in fact in the country on July 31, 2010, as she attended the wedding of Chelsea Clinton (former President Clinton's daughter) and was captured in a photograph taken for OK magazine. Photos from Issue 809 of the publication *See* US Weekly dated August 16, 2010 are attached hereto as Exhibit "DD" and Edwards Affidavit, Exhibit "N" at ¶12.

62. Maxwell is not the only important witness to lie to avoid deposition by Edwards. Upon review of the message pads that were taken from Epstein's home in the police trash pulls, *see* Exhibit "J" *supra*, many were from Jean Luc Brunel, a French citizen and one of Epstein's closest pals. He left messages for Epstein. One dated 4/1/05 said, "He has a teacher for you to teach you how to speak Russian. She is 2x8 years old, not blonde. Lessons are free and you can have your 1st today if you call." *See* Messages taken from Jean Luc Brunel are attached hereto as Exhibit "EE." In light of these circumstances of the case, this message reasonably suggested to

Edwards that Brunel might have been procuring two eight-year-old girls for Epstein to sexually abuse. According to widely circulated press reports reviewed by Edwards, Brunel is in his sixties and has a reputation throughout the world (and especially in the modeling industry) as a cocaine addict that has for years molested children through modeling agencies while acting as their agent – conduct that has been the subject of critical reports, books, several news articles, and a 60 Minutes documentary on Brunel's sexual exploitation of underage models. *See* http://bradmillershero.blogspot.com/2010/08/women-are-objects.html, attached hereto as Exhibit "FF."

63. Edwards learned that Brunel is also someone that visited Epstein on approximately 67 occasions while Epstein was in jail. *See* Epstein's jail visitor log attached as Exhibit "GG."

64. Edwards learned that Brunel currently runs the modeling agency MC2, a company for which Epstein provides financial support. *See* Message Pad's attached as Exhibit "J" *supra* and Sworn Statement of MC2 employee Maritza Vasquez, June 15, 2010, "Maritza Vasquez Sworn Statement" attached at Exhibit "HH" at 1-16.

65. Employees of MC2 told Edwards that Epstein's numerous condos at 301 East 66 Street in New York were used to house young models. Edwards was told that MC2 modeling agency, affiliated with Epstein and Brunel brought underage girls from all over the world, promising them modeling contracts. Epstein and Brunel would then obtain a visa for these girls, then would charge the underage girls rent, presumably to live as underage prostitutes in the condos. *See* Maritza Vasquez Sworn Statement, Exhibit "HH" at 7-10, 12-15, 29-30, 39-41, 59-60 and 62-67.

66. In view of this information suggesting Brunel could provide significant evidence of Epstein's trafficking in young girls for sexual abuse, Edwards had Brunel served in New York for deposition. *See* Notice of Deposition of Jean Luc Brunel attached hereto as Exhibit "II." Before the deposition took place, Brunel's attorney (Tama Kudman of West Palm Beach) contacted Edwards to delay the deposition date. Eventually Kudman informed Edwards in January 2009 that Brunel had left the country and was back in France with no plans to return. This information was untrue; Brunel was actually staying with Epstein in West Palm Beach. *See* Banasiak deposition, deposition attachment #16 at 154-160 and 172-175; see also pages from Epstein's probation file evidencing Jean Luc Brunel (JLB) staying at his house during that relevant period of time attached Exhibit "JJ". As a result, Edwards filed a Motion for Contempt, attached hereto as Exhibit "KK" (Because Epstein settled this case, the motion was never ruled upon.)

67. Edwards was also informed that Epstein paid for not only Brunel's representation during the civil process but also paid for legal representation for Sarah Kellen (Epstein's executive assistant and procurer of girls for him to abuse), Larry Visoski (Epstein's personal pilot), Dave Rogers (Epstein's personal pilot), Larry Harrison (Epstein's personal pilot), Louella Rabuyo (Epstein's housekeeper), Nadia Marcinkova (Epstein's live-in sex slave), Ghislaine Maxwell (manager of Epstein's affairs and businesses), Mark Epstein (Epstein's brother), and Janusz Banasiak (Epstein's house manager) It was nearly impossible to take a deposition of someone that would have helpful information that was not represented by an attorney paid for by Epstein. *See* Edwards Affidavit, Exhibit "N" at ¶11.

68. While Epstein and others were preventing any legitimate discovery into his sexual abuse of minor girls, at the same time he was engaging (through his attorneys) in brutal questioning of the girls who had filed civil suits against him, questioning so savage that it made local headlines. *See* Jane Musgrave, *Victims Seeking Sex offender's Millions See Painful Pasts Used Against Them,* Palm Beach Post News, Jan. 23, 2010, available at http://www.palmbeachpost.com/news/crime/victims-seeking-sex-offenders-millions-see-painful-pasts-192988.html attached hereto as Exhibit "LL."

Edwards Pursues Other Lines of Discovery

69. Because of Epstein's thwarting of discovery and attacks on Edwards's clients, Edwards was forced to pursue other avenues of discovery. Edwards only pursued legitimate discovery designed to further the cases filed against Epstein. *See* Edwards Affidavit, Exhibit "N" at ¶11.

70. Edwards notified Epstein's attorneys of his intent to take Bill Clinton's deposition. Edwards possessed a legitimate basis for doing so: (a) Clinton was friends with Ghislaine Maxwell who was Epstein's longtime companion and helped to run Epstein's companies, kept images of naked underage children on her computer, helped to recruit underage children for Epstein, engaged in lesbian sex with underage females that she procured for Epstein, and photographed underage females in sexually explicit poses and kept child pornography on her computer; (b) it was national news when Clinton traveled with Epstein aboard Epstein's private plane to Africa and the news articles classified Clinton as Epstein's friend. (c) the complaint filed on behalf of Jane Doe No. 102 stated generally that she was required by Epstein to be sexually exploited by not only Epstein but also Epstein's "adult male peers, including royalty,

politicians, academicians, businessmen, and/or other professional and personal acquaintances" – categories Clinton and acquaintances of Clinton fall into. The flight logs showed Clinton traveling on Epstein's plane on numerous occasions between 2002 and 2005. *See* Flight logs attached hereto as Exhibit "MM." Clinton traveled on many of those flights with Ghislaine Maxwell, Sarah Kellen, and Adriana Mucinska, - all employees and/or co-conspirators of Epstein's that were closely connected to Epstein's child exploitation and sexual abuse. The documents clearly show that Clinton frequently flew with Epstein aboard his plane, then suddenly stopped - raising the suspicion that the friendship abruptly ended, perhaps because of events related to Epstein's sexual abuse of children. Epstein's personal phone directory from his computer contains e-mail addresses for Clinton along with 21 phone numbers for him, including those for his assistant (Doug Band), his schedulers, and what appear to be Clinton's personal numbers. This information certainly leads one to believe that Clinton might well be a source of relevant information and efforts to obtain discovery from him were reasonably calculated to lead to admissible evidence. *See* Exhibits "B", "F" "AA", "DD", and "MM" and Edwards Affidavit, Exhibit "N" at ¶15.

71. Bradley J. Edwards, Esq., provided notice that he intended to take the deposition of Donald Trump. Edwards possessed a legitimate basis for doing so: (a) The message pads confiscated from Epstein's home indicated that Trump called Epstein's West Palm Beach mansion on several occasions during the time period most relevant to my Edwards's clients' complaints; (b) Trump was quoted in a *Vanity Fair* article about Epstein as saying "I've known Jeff for fifteen years. Terrific guy," "He's a lot of fun to be with. It is even said that he likes beautiful women as much as I do, and many of them are on the younger side. No doubt about it --

Jeffrey enjoys his social life." Jeffrey Epstein: International Moneyman of Mystery; He's pals with a passel of Nobel Prize–winning scientists, CEOs like Leslie Wexner of the Limited, socialite Ghislaine Maxwell, even Donald Trump. But it wasn't until he flew Bill Clinton, Kevin Spacey, and Chris Tucker to Africa on his private Boeing 727 that the world began to wonder who he is. By Landon Thomas Jr. (*See* article attached hereto as Exhibit "NN") (c) Trump allegedly banned Epstein from his Maralago Club in West Palm Beach because Epstein sexually assaulted an underage girl at the club; (d) Jane Doe No. 102's complaint alleged that Jane Doe 102 was initially approached at Trump's Maralago by Ghislaine Maxwell and recruited to be Maxwell and Epstein's underage sex slave; (e) Mark Epstein (Jeffrrey Epstein's brother) testified that Trump flew on Jeffrey Epstein's plane with him (the same plane that Jane Doe 102 alleged was used to have sex with underage girls); (f) Trump had been to Epstein's home in Palm Beach; (g) Epstein's phone directory from his computer contains 14 phone numbers for Donald Trump, including emergency numbers, car numbers, and numbers to Trump's security guard and houseman. Based on this information, Edwards reasonably believed that Trump might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition. See deposition of Mark Epstein, September 21, 2009, at 48-50 (Deposition Attachment #19); *See* Jane Doe 102 v. Epstein, Exhibit "B"; Exhibit "F"; "Exhibit"J"; "N" and *See* Edwards Affidavit, Exhibit "N" at ¶13.

72. Edwards provided notice that he intended to depose Alan Dershowitz. Edwards possessed a legitimate basis for doing so: (a) Dershowitz is believed to have been friends with Epstein for many years; (b) in one news article Dershowitz comments that, "I'm on my 20th book… The only person outside of my immediate family that I send drafts to is Jeffrey" The

Talented Mr. Epstein, By Vicky Ward on January, 2005 in Published Work, Vanity Fair (*See* article attached as Exhibit "OO"); (c) Epstein's housekeeper Alfredo Rodriguez testified that Dershowitz stayed at Epstein's house during the years when Epstein was assaulting minor females on a daily basis; (d) Rodriguez testified that Dershowitz was at Epstein's house at times when underage females where there being molested by Epstein (see Alfredo Rodriguez deposition at 278-280, 385, 426-427); (e) Dershowitz reportedly assisted in attempting to persuade the Palm Beach State Attorney's Office that because the underage females alleged to have been victims of Epstein's abuse lacked credibility and could not be believed that they were at Epstein's house, when Dershowitz himself was an eyewitness to their presence at the house; (f) Jane Doe No. 102 stated generally that Epstein forced her to be sexually exploited by not only Epstein but also Epstein's "adult male peers, including royalty, politicians, academicians, businessmen, and/or other professional and personal acquaintances" – categories that Dershowitz and acquaintances of Dershowitz fall into; (g) during the years 2002-2005 Alan Dershowitz was on Epstein's plane on several occasions according to the flight logs produced by Epstein's pilot and information (described above) suggested that sexual assaults may have taken place on the plane; (h) Epstein donated $30 Million one year to the university at which Dershowitz teaches. Based on this information, Edwards had a reasonable basis to believe that Dershowitz might have relevant information to provide in the cases against Jeffrey Epstein and accordingly provided notice of a possible deposition. *See* Dershowitz letters to the State Attorney's office attached as Exhibit "PP"; Deposition of Alfredo Rodriguez at 278-280; Flight Logs Exhibit "MM"; Exhibits "B" and "OO"; and Edwards Affidavit, Exhibit "N" at ¶14.

73. Epstein's complaint alleges that Edwards provided notice that he wished to take the deposition of Tommy Mattola. That assertion is untrue. Mr. Mattola's deposition was set by the law firm of Searcy Denny Scarola Barnhart and Shipley. *See* Edwards Affidavit, Exhibit "N" at ¶16.

74. Edwards gave notice that he intended to take David Copperfield's deposition. Edwards possessed a legitimate basis for doing so. Epstein's housekeeper and one of the only witnesses who did not appear for deposition with an Epstein bought attorney, Alfredo Rodriguez, testified that David Copperfield was a guest at Epstein's house on several occasions. His name also appears frequently in the message pads confiscated from Epstein's house. It has been publicly reported that Copperfield himself has had allegations of sexual misconduct made against him by women claiming he sexually abused them, and one of Epstein's sexual assault victims also alleged that Copperfield had touched her in an improper sexual way while she was at Epstein's house. Mr. Copperfield likely has relevant information and deposition was reasonably calculated to lead to the discovery of admissible evidence. *See* Edwards Affidavit, Exhibit "N" at ¶17.

75. Epstein also takes issue with Edwards identifying Bill Richardson as a possible witness. Richardson was properly identified as a possible witness because Epstein's personal pilot testified to Richardson joining Epstein at Epstein's New Mexico Ranch. There was information indicating that Epstein had young girls at his ranch which, given the circumstances of the case, raised the reasonable inference he was sexually abusing these girls as he had abused girls in West Palm Beach and elsewhere. Richardson had also returned campaign donations that were given to him by Epstein, indicating that he believed that there was something about Epstein

with which he did not want to be associated. Richardson was not called to testify nor was he ever subpoenaed to testify. *See* Edwards Affidavit, Exhibit "N" at ¶18.

76. Edwards learned of allegations that Epstein engaged in sexual abuse of minors on his private aircraft. *See* Jane Doe 102 Complaint, Exhibit "B." Accordingly, Edwards pursued discovery to confirm these allegations.

77. Discovery of the pilot and flight logs was proper in the cases brought by Edwards against Epstein. Jane Doe filed a federal RICO claim against Epstein that was an active claim through much of the litigation. The RICO claim alleged that Epstein ran an expansive criminal enterprise that involved and depended upon his plane travel. Although Judge Marra dismissed the RICO claim at some point in the federal litigation, the legal team representing Edwards' clients intended to pursue an appeal of that dismissal. Moreover, all of the subjects mentioned in the RICO claim remained relevant to other aspects of Jane Doe's claims against Epstein, including in particular her claim for punitive damages. *See* Edwards Affidavit, Exhibit "N" at ¶19.

78. Discovery of the pilot and flight logs was also proper in the cases brought by Edwards against Epstein because of the need to obtain evidence of a federal nexus. Edwards's client Jane Doe was proceeding to trial on a federal claim under 18 U.S.C. § 2255. Section 2255 is a federal statute which (unlike relevant state statutes) established a minimum level of recovery for victims of the violation of its provisions. Proceeding under the statute, however, required a "federal nexus" to the sexual assaults. Jane Doe had two grounds on which to argue that such a nexus existed to her abuse by Epstein: first, his use of telephone to arrange for girls to be abused; and, second, his travel on planes in interstate commerce. During the course of the litigation,

Edwards anticipated that Epstein would argue that Jane Doe's proof of the federal nexus was inadequate. These fears were realized when Epstein filed a summary judgment motion raising this argument. In response, the other attorneys and Edwards representing Jane Doe used the flight log evidence to respond to Epstein's summary judgment motion, explaining that the flight logs demonstrated that Epstein had traveled in interstate commerce for the purpose of facilitating his sexual assaults. Because Epstein chose to settle the case before trial, Judge Marra did not rule on the summary judgment motion.

79. Edwards had further reason to believe and did in fact believe that the pilot and flight logs might contain relevant evidence for the cases against Epstein. Jane Doe No. 102's complaint outlined Epstein's daily sexual exploitation and abuse of underage minors as young as 12 years old and alleged that Epstein's plane was used to transport underage females to be sexually abused by him and his friends. The flight logs accordingly were a potential source of information about either additional girls who were victims of Epstein's abuse or friends of Epstein who may have witnessed or even participated in the abuse. Based on this information, Edwards reasonably pursued the flight logs in discovery.

80. In the fall of 2009, Epstein gave a recorded interview to George Rush, a reporter with the *New York Daily News* about pending legal proceedings. In that interview, Epstein demonstrated an utter lack of remorse for his crimes (but indirectly admitted his crimes) by stating:

- People do not like it when people make good and that was one reason he (Epstein) was being targeted by civil suits filed by young girls in Florida;
- He (Epstein) had done nothing wrong;

- He (Epstein) had gone to jail in Florida for soliciting prostitution for no reason;
- If the same thing (i.e., sexual abuse of minor girls) had happened in New York, he (Epstein) would have received only a $200 fine;
- Bradley J. Edwards was the one causing all of Epstein's problems (i.e., the civil suits brought by Jane Doe and other girls);
- L.M. came to him as a prostitute and a drug user (i.e., came to Epstein for sex, rather than Epstein pursuing her);
- All the girls suing him are only trying to get a meal ticket;
- The only thing he might have done wrong was to maybe cross the line a little too closely;
- He (Epstein) was very upset that Edwards had subpoenaed Ghisline Maxwell, that she was a good person that did nothing wrong (i.e., had done nothing wrong even though she helped procure young girls to satisfy Epstein's sexual desires);
- With regard to Jane Doe 102 v. Epstein, which involved an allegation that Epstein had repeatedly sexually abused a 15-year-old girl, forced her to have sex with his friends, and flew her on his private plane nationally and internationally for the purposes of sexually molesting and abusing her, he (Epstein) flippantly said that the case was dismissed, indicating that the allegations were ridiculous and untrue.

See Affidavit of Michael J. Fisten attached hereto as Exhibit "QQ."

81. The Rush interview also demonstrated perjury (a federal crime) on the part of Epstein. Epstein lied about not knowing George Rush. *See* Epstein Deposition, February 17, 2010, taken in L.M. v. Jeffrey Epstein, case 50-2008-CA-028051, page 154, line 4 through 155 line 9, (Deposition attachment #7), wherein Jeffrey Epstein clearly impresses that he does not recognize George Rush from the New York Daily News. This impression was given despite the fact that he gave a lengthy personal interview about details of the case that was tape recorded with George Rush.

Epstein's Harassment of Witnesses Against Him

82. At all relevant times Edwards has a good faith basis to believe and did in fact believe that Epstein engaged in threatening witnesses. *See* Incident Report, Exhibit "A" at p. 82, U.S. Attorney's Correspondence, Exhibit "C" - Indictments drafted by Federal Government against Epstein; and Edwards Affidavit, Exhibit "N" at ¶11.

83. Despite three no contact orders entered against Epstein (*see* Exhibit C, *supra*), Edwards learned that Epstein continued to harass his victims. For example, Jane Doe had a trial set for her civil case against him on July 19, 2010. As that trial date approached, defendant Epstein intimidated her in violation of the judicial no-contact orders. On July 1, 2010, he had a "private investigator" tail Jane Doe – following her every move, stopping when she stopped, driving when she drove, refusing to pass when she pulled over. When Jane Doe ultimately drove to her home, the "private investigator" then parked in his car approximately 25 feet from Jane Doe house and flashed his high beam lights intermittently into the home. Even more threateningly, at about 10:30 p.m., when Jane Doe fled her home in the company of a retired police officer employed by Jane Doe's counsel, the "private investigator" attempted to follow Jane Doe despite a request not to do so. The retired officer successfully took evasive action and placed Jane Doe in a secure, undisclosed location that night. Other harassing actions against Jane Doe also followed. *See* Motion for Contempt filed by Edwards in Jane Doe v. Epstein detailing the event, including Fisten Affidavit attached to Motion, Composite Exhibit "RR."

Epstein Settlement of Civil Claims Against Him for Sexual Abuse of Children

84. The civil cases Edwards filed against Epstein on behalf of L.M., E.W., and Jane Doe were reasonably perceived by Edwards to be very strong cases. Because Epstein had

sexually assaulted these girls, he had committed several serious torts against them and would be liable to them for appropriate damages. *See* Preceding Undisputed Facts. Because of the outrageousness of Epstein's sexual abuse of minor girls, Edwards reasonably expected that Epstein would also be liable for punitive damages to the girls. Because Edwards could show that Epstein had molested children for years and designed a complex premeditated scheme to procure different minors everyday to satisfy his addiction to sex with minors, the punitive damages would have to be sufficient to deter him from this illegal conduct that he had engaged in daily for years. Epstein was and is a billionaire. *See* Complaint, ¶49 (referring to "Palm Beach Billionaire"); *see also* Epstein Deposition, February 17, 2010, at 172-176 (Deposition Attachment #7) (taking the Fifth when asked whether he is a billionaire). Accordingly, Edwards reasonably believed the punitive damages that would have to be awarded against Epstein would have been substantial enough to punish him severely enough for his past conduct as well as deter him from repeating his offenses in the future. *See* Edwards Affidavit, Exhibit "N" at ¶19.

85. On July 6, 2010, rather than face trial for the civil suits that had been filed against him by L.M., E.W., and Jane Doe, defendant Epstein settled the cases against him. The terms of the settlement are confidential. The settlement amounts are highly probative in the instant action as Epstein bases his claims that Edwards was involved in the Ponzi scheme on Epstein's inability to settle the L.M., E.W., and Jane Doe cases for "minimal value". His continued inability to settle the claims for "minimal value" after the Ponzi scheme was uncovered would be highly probative in discrediting any causal relationship between the Ponzi scheme and Edwards's settlement negotiations. *See* Edwards Affidavit, Exhibit "N" at ¶21.

Edwards Non-Involvement in Fraud by Scott Rothstein

86. From in or about 2005, through in or about November 2009, Scott Rothstein appears to have run a giant Ponzi scheme at his law firm of Rothstein, Rosenfeldt and Adler P.A. ("RRA"). This Ponzi scheme involved Rothstein falsely informing investors that settlement agreements had been reached with putative defendants based upon claims of sexual harassment and/or whistle-blower actions. Rothstein falsely informed the investors that the potential settlement agreements were available for purchase. Plea Agreement at 2, *United States v. Scott W. Rothstein*, No. 9-60331-CR-COHN (S.D. Fla. Jan. 27, 2010) attached hereto as Exhibit "SS."

87. It has been alleged that among other cases that Rothstein used to lure investors into his Ponzi scheme were the cases against Epstein that were being handled by Bradley J. Edwards, Esq. Edwards had no knowledge of the fraud or any such use of the Epstein cases. *See* Edwards Affidavit, Exhibit "N" at ¶9.

88. Bradley J. Edwards, Esq., joined RRA in about April 2009 and left RRA in November 2009 – a period of less than one year. Edwards would not have joined RRA had he been aware that Scott Rothstein was running a giant Ponzi scheme at the firm. Edwards left RRA shortly after learning of Rothstein's fraudulent scheme. *Id.* at ¶8.

89. At no time prior to the public disclosure of Rothstein's Ponzi scheme did Edwards know or have reason to believe that Rothstein was using legitimate claims that Edwards was prosecuting against Epstein for any fraudulent or otherwise illegitimate purpose. *Id.* at ¶20.

90. Edwards never substantively discussed the merits of any of his three cases against Epstein with Rothstein. *See* Deposition of Bradley J. Edwards taken March 23, 2010, at 110-16. (hereinafter "Edwards Depo") (Deposition Attachment #22).

91. On July 20, 2010, Bradley Edwards received a letter from the U.S. Attorney's Office for the Southern District of Florida – the office responsible for prosecuting Rothstein's Ponzi scheme. The letter indicated that law enforcement agencies had determined that Edwards was "a victim (or potential victim)" of Scott Rothstein's federal crimes. The letter informed Edwards of his rights as a victim of Rothstein's fraud and promised to keep Edwards informed about subsequent developments in Rothstein's prosecution. *See* Letter attached hereto as Exhibit "TT."

92. Jeffrey Epstein filed a complaint with the Florida Bar against Bradley Edwards, Esq., raising allegations that Edwards and others were involved in the wrongdoing of Scott Rothstein. After investigating the claim, the Florida Bar dismissed this complaint. *See* Edwards Affidavit, Exhibit "N" at ¶23.

Epstein Takes the Fifth When Asked Substantive Questions About His Claims Against Edwards

93. On March 17, 2010, defendant Epstein was deposed about his lawsuit against Edwards. Rather than answer substantive questions about his lawsuit, Epstein repeatedly invoked his Fifth Amendment privilege. *See* Epstein Depo. taken 3/17/10, Deposition Attachment #1.

94. In his deposition, Epstein took the Fifth rather than answer the question: "Specifically what are the allegations against you which you contend Mr. Edwards ginned up?" *Id.* at 34.

95. In his deposition, Epstein took the Fifth rather than name people in California that Edwards had tried to depose to increase the settlement value of the civil suit he was handling. *Id.* at 37.

96. In his deposition, Epstein took the Fifth rather than answer the question: "Do you know former President Clinton personally." *Id.*

97. In his deposition, Epstein took the Fifth rather than answer the question: "Are you now telling us that there were claims against you that were fabricated by Mr. Edwards?" *Id.* at 39.

98. In his deposition, Epstein took the Fifth rather than answer the question, "Well, which of Mr. Edwards' cases do you contend were fabricated." *Id.*

99. In his deposition, Epstein took the Fifth rather than answer the question: "What is the actual value that you contend the claim of E.W. against you has?" *Id.* at 45.

100. In his deposition, Epstein took the Fifth rather than answer a question about the actual value of the claim of L.M. and Jane Doe against him. *Id.*

101. In his deposition, taken prior to the settlement of Edwards's clients claims against Epstein, Epstein took the Fifth rather than answer the question: "Is there any pending claim against you which you contend is fabricated?" *Id.* at 71.

102. In his deposition, Epstein took the Fifth rather than answer the question: "Did you ever have damaging evidence in your garbage?" *Id.* at 74.

103. In his deposition, Epstein took the Fifth rather than answer the question: "Did sexual assaults ever take place on a private airplane on which you were a passenger?" *Id.* at 88.

104. In his deposition, Epstein took the Fifth rather than answer the question: "Does a flight log kept for a private jet used by you contain the names of celebrities, dignitaries or international figures?" *Id.* at 89.

105. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Donald Trump in the presence of females under the age of 18?" *Id.* at 89.

106. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Alan Dershowitz in the presence of females under the age of 18." *Id.* at 90.

107. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Mr. Mottola in the presence of females under the age of 18?" *Id.* at 91-92.

108. In his deposition, Epstein took the Fifth rather than answer the question: "Did you ever socialize with David Copperfield in the presence of females under the age of 18?" *Id.* at

109. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever socialized with Mr. Richardson [Governor of New Mexico and formerly U.S. Representative and Ambassador to the United Nations] in the presence of females under the age of 18." *Id.* at 94.

110. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever sexually abused children?" *Id.* at 95.

111. In his deposition, Epstein took the Fifth rather than answer the question: "Did you have staff members that assisted you in scheduling appointments with underage females; that is, females under the age of 18." *Id.* at 97-98.

112. In his deposition, Epstein took the Fifth rather than answer the question: "On how many occasions did you solicit prostitution." *Id.* at 102.

113. In his deposition, Epstein took the Fifth rather than answer the question: "How many minors have you procured for prostitution?" *Id.* at 104.

114. In his deposition, Epstein took the Fifth rather than answer the question: "Have you ever coerced, induced or enticed any minor to engage in any sexual act with you?" *Id.* at 107.

115. In his deposition, Epstein took the Fifth rather than answer the question: "How many times have you engaged in fondling underage females?" *Id.* at 108.

116. In his deposition, Epstein took the Fifth rather than answer the question: "How many times have you engaged in oral sex with females under the age of 18?" *Id.* at 110.

117. In his deposition, Epstein took the Fifth rather than answer the question: "Do you have a personal sexual preference for children?" *Id.* at 111-12.

118. In his deposition, Epstein took the Fifth rather than answer the question: "Your Complaint at page 27, paragraph 49, says that 'RRA and the litigation team took an emotionally driven set of facts involving alleged innocent, unsuspecting, underage females and a Palm Beach billionaire, and sought to turn it into a goldmine,' end of quote. Who is the Palm Beach billionaire referred to in that sentence?" *Id.* at 112-13.

119. In his deposition, Epstein took the Fifth rather than answer the question: "Who are the people who are authorized to make payment [to your lawyers] on your behalf?" *Id.* at 120.

120. In his deposition, Epstein took the Fifth rather than answer the question: "Is there anything in L.M.'s Complaint that was filed against you in September of 2008 which you contend to be false?" *Id.* at 128.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 4th, 2010 a copy of the foregoing has been served via Fax and U.S. Mail to all those on the attached service list.

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Liquid Insight

Trump's effect on MXN

Bank of America Merrill Lynch

22 September 2016

Key takeaways

- We provide an empirical analysis of Donald Trump's potential effects on the Mexican peso
- Our analysis suggests the exchange rate is perhaps as much as 15% undervalued
- We remain neutral for now given US election risks are likely to remain high in the near term

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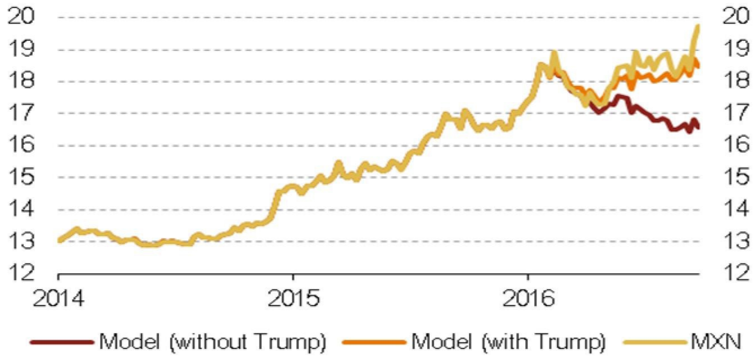
By Claudio Irigoyen and Ezequiel Aguirre

Chart of the day: MXN may be as much as 15% undervalued



Source: BofA Merrill Lynch Global Research, Bloomberg

Trump's effect on MXN

We provide an empirical analysis of Donald Trump's effects on the Mexican peso. Our analysis suggests the exchange rate is perhaps as much as 15% undervalued. In our view, buying the Mexican peso likely would prove a profitable strategy if Hillary Clinton wins. However, we remain neutral for now given US election risks are likely to remain high in the near term.

A model of MXN weekly returns including Trump

We estimate a model of MXN returns with standard financial fundamentals that also includes Donald Trump's RealClearPolitics polling average in the US presidential election. It is generally accepted now that Trump's chances in the US election have been a major driver of the Mexican peso (Chart 1).

Trading ideas and investment strategies discussed herein may give rise to significant risk and are not suitable for all investors. Investors should have experience in FX markets and the financial resources to absorb any losses arising from applying these ideas or strategies.

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Refer to important disclosures on page 6 to 7. Analyst Certification on page 5. 11668923

Timestamp: 22 September 2016 12:30AM EDT

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8 Sep 2016	EEMEA: The ECB buys EM too

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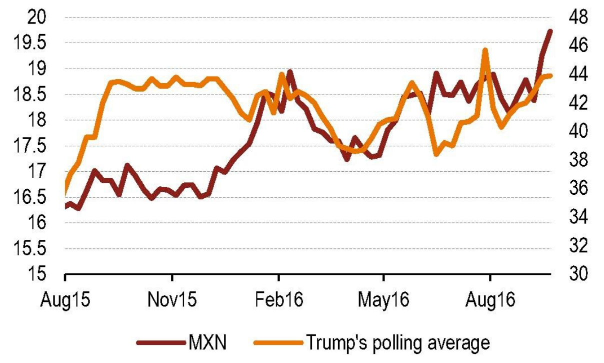
We estimate a regression of weekly returns on the MXN spot exchange rate on five variables: a basket of commodity currencies, US equities, the 10-year US bond yield, the two-year interest rate differential between MXN and USD swaps, and RealClearPolitics polling average for Donald Trump in the 2016 US presidential election. The estimated equation is

$$R^{MXN} = b_0 + b_1{}^{*}R^{basket} + b_2{}^{*}R^{SP500} + b_3{}^{*}dy^{10} + b_4{}^{*}(r^{MXN} - r^{USD}) + b_5{}^{*}RCP + e$$

where R^{MXN} is the MXN spot return, R^{basket} is the commodity currency basket spot return, R^{SP500} is the SP500 index return, dy^{10} is the 10-year US bond yield change, $r^{MXN} - r^{USD}$ is the two-year swap rate differential (lagged one period), RCP is RealClearPolitics polling average for Donald Trump, and e is an error term. The commodity currency basket consists of BRL, CLP, COP, CAD, NOK and AUD with equal weights. The full data sample has weekly frequency and runs from 6/20/2012 to 9/21/2016.

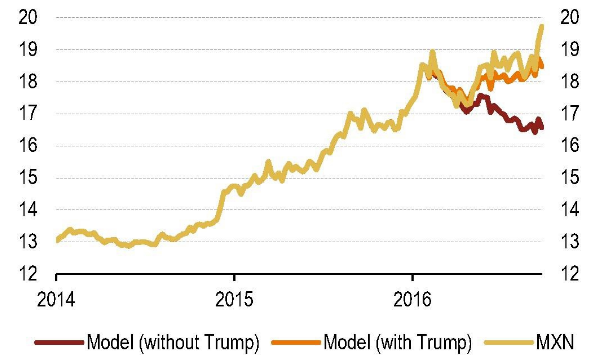
The model without Trump yields an R-squared coefficient of 0.50. Including Trump's variable increases the coefficient to 0.63, a significant improvement (Chart 2). We use data only up to 1/27/2016 for parameter estimation of the financial variables. We use the full sample to estimate the parameter on Trump's variable due to its shorter history.

Chart 1: The Trump factor on the Mexican peso



Source: BofA Merrill Lynch Global Research, Bloomberg

Chart 2: Forecasting MXN returns with and without Trump



Source: BofA Merrill Lynch Global Research, Bloomberg

A possible 15% negative shock on MXN

According to the model that does not include Trump's polling average, we estimate that MXN should be trading at around 16.50, more than 15% stronger than current levels (spot 19.72). Chart 2 shows the possible magnitude of the Trump effect on the Mexican peso.

The model including Trump's polling average appears to do a much better job at explaining the recent behavior of the Mexican peso. However, it still suggests that the currency has depreciated more than justified by Trump's increase in recent polls. Based on Trump's increase to 43.9% (RealClearPolitics polling average on 21 September) from 39% (RealClearPolitics polling average on 29 June), our model suggests the Mexican peso should be trading at around 18.50, still almost 7% stronger than current levels.

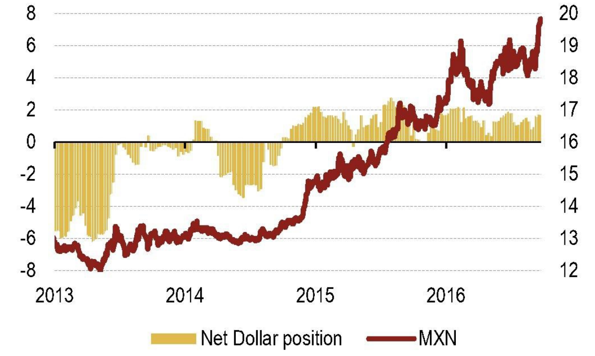
This, however, does not necessarily mean that MXN has oversold. The almost 5% gain in Trump's polling average since June could have had an outsized effect on MXN if those gains took place in swing states, potentially leading to crucial Electoral College votes.

Strategy: neutral MXN for now

From a strategy standpoint, we recommend staying neutral the Mexican peso for now. We believe the Mexican peso would likely strengthen significantly if Hillary Clinton wins the US election. But there is still significant uncertainty. Net speculative long USD/MXN positions are somewhat stretched, but could increase much more (Chart 3).

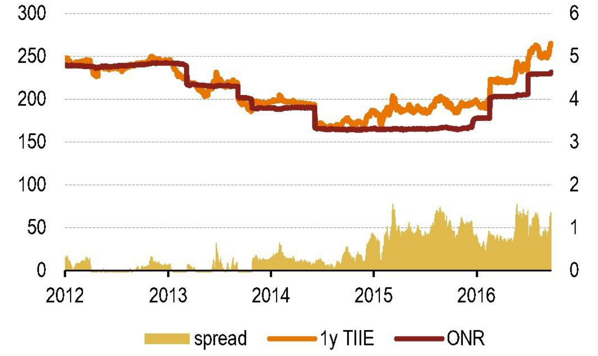
The Bank of Mexico will meet on 29 September, and a 50bp rate hike is already priced in (Chart 4). A stronger hike, perhaps of 75bp, or a 50bp rate hike accompanied by a hawkish statement could lead to MXN strengthening in the very short run.

Chart 3: Net speculative USD/MXN position in CFTC



Source: BofA Merrill Lynch Global Research, Bloomberg

Chart 4: Bank of Mexico expected to hike



Source: BofA Merrill Lynch Global Research, Bloomberg

Notable Rates and FX Research

* Global Rates & Currencies 2016 Year Ahead, 23 November 2015

* USD/MXN builds momentum, FX Quant Trader, 19 Sep 2016

* Central banks still the only game in town, Global Rates and FX Weekly, 15 Sep 2016

* Land of the rising bond yield, US Rates Weekly, 16 Sep 2016

* Policy uncertainty, Liquid Cross Border Flows, 19 Sep 2016

Key trade ideas

Top Rates and FX trades for 2016

For rationale and details, refer to Global Rates & Currencies 2016 Year Ahead: The "Great Divorce", 23 November, 2015

Rates:

Buy US 30y TIPS, entry: 1.2%, target: 70bp, stop loss: 1.55%

Closed at 101bp (3 Mar 2016): Short USD 5y5y vs EUR 5y5y, entry: 115 bp, target: 160 bp, stop-loss: 90 bp (3 Sep 2015)

Long $100mn 6m5y ATMF UK vs $100.75mn US rates straddles, net take-in: $126K, target: +450K, stop: -$225K

Sell 3y Fannie Mae debt vs Treasuries, entry: 6bp, stop: 2bp, target: 20bp

Closed at 11bp - Long 12m Treasury bills vs OIS, entry: 1bp, target: -10bp, stop: 7bp

FX:

Closed at 6.5630 (26 May 2016): Buy USD/CNH 6m forward outright, entry: 6.5260, stop: 6.40

Long a 12m USD/CNH forward outright, entry: 6.7485, target 7.00, stop: 6.67, current: 6.7420 (26 May 2016)

Closed at 0% - Buy EUR/USD 3m 1.10 call with a 16 Dec 1.1050 window KO, cost: 0.55% EUR (spot: 1.0690)

Buy 1y EUR/USD<1.00, USD/JPY<120 dual digital, cost: 7.0% USD (spot: 1.0690, 122.80)

Closed at 902 (10 Mar 2016): Buy AUD/KRW, entry: 832, target: 920, stop: 859 (revised from 790)

Closed at 38.25 (18 Apr 2016): Sell TRY/JPY, entry: 43.40, target: 36.15, stop: 45.25

Closed at 8.27: Sell USD/NOK spot 8.685, target: 8.27, stop-loss: 8.60 (revised from 9.00)

New trades

Rates:

Mar17 FRA-OIS widener, entry: 6.25bp, target: 10bp, stop loss: 4bp (21 Sep 2016)
* Despite recent tightening, richness of bonds vs OIS, upcoming TLTRO & corporate issuance point to renewed widening

Existing open trades

For a complete list of our open trade recommendations, as well as our trade recommendations closed over the last 12 months, please see: Global Rates and FX Weekly: Central banks still the only game in town 15 September 2016

Rates:

Pay 5y5y forward 3s6s basis, entry: 11.3bp, target: 13.3bp, stop: 10.3bp (10 Aug 2016)
* Bank hedging flows on the back of sharp pickup in corp issuance suggests the widening of 3s6s basis is structural. It also hedges any aggressive ECB easing in Sep

Buy 6m30y ATMF+25bp/+50bp/+75 bp payer ladders for a net premium of €950k on €100m notional (or 3.3 bp) (20 Jul 2016)
*30y rates are at risk from the ECB tomorrow, especially if tweaks to the capital key are flagged already

Buy 3-year 3.5% ZC RPI inflation caps, entry: 26.0c; current 37.5c (21 Oct 2015)
*Sterling vulnerability due to the UK's large current account deficit makes being long inflation volatility attractive. Pairing this trade with a long-standing recommendation to be short 30-year UK breakevens is an attractive way to finance it.

Closed at 0 (22 Jul 2016): Buy 167 Aug RXU6 call and buy 162 put, cost 118 cents (16 Jun 2016)

Closed at 55bp (12 Jul 2016): OATei 2018/2027 flattener; entry: 78.5bp, target: 40bp; stop-loss: 100bp (11 Mar 2016)

FX:

Short EURUSD 6m 1.0740/1.1500 risk reversal, cost: 0 (off 1.1077 spot)(6 Jul 2016)
*EUR downside risks are underpriced. We think the post-referendum risk rally is overdone and could be at risk. Potential shocks include Brexit uncertainty, turbulence in Italy's banking sector, and political paralysis in Spain.

Closed 1.0840 (1 Jul 2016): Buy 3m EURCHF 1.08/1.03 put spread for 0.76% Eur (7.75/8.05 ag 10.45 vols off 1.0930 spot)(1 Apr 2016)

* EUR is underpricing Brexit and that shorting Euro was a cheaper way to express such a view via options. CHF tends to perform strongly when risks become more localized.

Closed on 28 Aug 2016: Buy EUR/USD 6m 1.00/1.20 strangle for 155 usd pips (off 1.1020 spot, DF two-way vols 12.1/12.3) (29 Feb 2016)
*Owning low delta EURUSD strangles may be an effective and cheap double hedge in the scenario that either the US enters a recession or the European debt crisis resurfaces.

Options Risk Statement

Potential Risk at Expiry & Options Limited Duration Risk

Unlike owning or shorting a stock, employing any listed options strategy is by definition governed by a finite duration. The most severe risks associated with general options trading are total loss of capital invested and delivery/assignment risk, all of which can occur in a short period.

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The use of standardized options and other related derivatives instruments are considered unsuitable for many investors. Investors considering such strategies are encouraged to become familiar with the "Characteristics and Risks of Standardized Options" (an OCC authored white paper on options risks). U.S. investors should consult with a FINRA Registered Options Principal.

For detailed information regarding the risks involved with investing in listed options: http://www.theocc.com/about/publications/character-risks.jsp.

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I, Adarsh Sinha, hereby certify that the views expressed in this research report about securities and issuers accurately reflect the research model applied in such analysis. I also certify that no part of my compensation was, is, or will be, directly or indirectly, related to the specific recommendations or view expressed in this research report.

Disclosures

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UNITED STATES OFFICE OF
GOVERNMENT ETHICS
Preventing Conflicts of Interest
in the Executive Branch

Report Type:	
Year (Annual Report only):	
Date of Appointment/Termination:	January 20, 2017

Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e)

Filer's Information

Last Name	First Name	MI	Position	Agency
Trump	Donald	J	President of the United States of America	

Other Federal Government Positions Held During the Preceding 12 Months:
N/A

Name of Congressional Committee Considering Nomination (Nominees only):
N/A

Filer's Certification - I certify that the statements I have made in this report are true, complete and correct to the best of my knowledge:

Signature:	Date: JUNE 14/2017

Agency Ethics Official's Opinion – On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below)

Signature:	Date: June 14, 2017

Other Review Conducted By:

Signature:	Date:

U.S. Office of Government Ethics Certification (if required):

Signature:	Date: 6/16/17

Comments of Reviewing Officials:

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
1	4 Shadow Tree Lane LLC	New York, NY	LLC	President	09/26/12	1/19/2017
2	4 Shadow Tree Lane Member Corp	New York, NY	Corporation	President/Director/Chairman	09/26/12	1/19/2017
3	40 Wall Development Associates LLC	New York, NY	LLC	Member & President	4/11/95 & 8/11/03	1/19/2017
4	40 Wall Street Commercial LLC	New York, NY	LLC	President	08/27/09	1/19/2017
5	40 Wall Street LLC	New York, NY	LLC	President	04/23/98	1/19/2017
6	40 Wall Street Member Corp	New York, NY	Corporation	President/Director	04/29/98	1/19/2017
7	3126 Corporation	New York, NY	Corporation	President/Director	06/01/99	1/19/2017
8	401 Mezz Venture LLC	New York, NY	LLC	President	10/01/04	1/19/2017
9	401 North Wabash Venture LLC	New York, NY	LLC	Member & President	5/22/02 & 10/1/04	1/19/2017
12	809 North Canon LLC	New York, NY	LLC	President	12/13/06	1/19/2017
13	809 North Canon Member Corporation	New York, NY	Corporation	President/Director	12/13/06	1/19/2017
14	81 Pine Note Holder Inc	New York, NY	Corporation	President/Director/Secretary	06/30/99	1/19/2017
15	Aviation Payroll Company	New York, NY	Corporation	President/Chairman	08/09/12	1/19/2017
16	B Plaza Realty Corp.	New York, NY	Corporation	Director/President	07/14/81	11/10/2016
17	Bedford Hills Corp	New York, NY	Corporation	Director & President/Treasurer/Secretary	8/3/1995 & 4/16/96	1/19/2017
18	Briar Hall Operations LLC	New York, NY	LLC	Member	01/09/97	1/19/2017
19	Briarcliff Properties, Inc.	New York, NY	Corporation	Director & President/Treasurer/Secretary	1/17/1996 & 4/16/96	1/19/2017
20	Caribusiness MRE LLC	New York, NY	LLC	Member	03/13/13	1/19/2017
21	Caribusiness RE Corp, The	New York, NY	Corporation	Director/Chairman/President	03/12/15	1/19/2017
22	Chelsea Hall LLC	New York, NY	LLC	Member	11/22/95	1/19/2017
23	Chicago Unit Acquisition LLC	New York, NY	LLC	Member/President	12/15/05	1/19/2017
24	China Trademark LLC	New York, NY	LLC	Member/President	06/17/08	1/19/2017
25	Coronet Hall Inc.	New York, NY	Corporation	Director/Vice President	08/01/69	1/19/2017
26	Development Member Inc.	New York, NY	Corporation	President/Secretary & Director	10/24/1996 & 11/4/96	1/19/2017
27	D B Pace Acquisition, LLC	South Carolina	LLC	Member/President	11/12/14	1/19/2017
28	D B Pace Acquisition Member Corp	New York, NY	Corporation	Chairman/President/Director	11/07/14	1/19/2017
29	DJT Aerospace LLC	Atlantic City, NJ	LLC	Member/President	06/02/10	1/19/2017
30	DJ Aerospace (Bermuda) Limited	Bermuda	Foreign Corporation	President/Director	03/09/94	1/19/2017
31	DJT Entrepreneur Managing Member LLC (f/k/a DJT University Managing Member LLC)	New York, NY	LLC	Member & President	10/25/04	1/19/2017
32	DJT Entrepreneur Member LLC (f/k/a DJT University Member LLC)	New York, NY	LLC	Member & President	10/25/04	1/19/2017
33	DJT Holdings LLC	New York, NY	LLC	Member & President	11/29/2010 & 12/2/2010	1/19/2017
34	DJT Holdings Managing Member LLC	New York, NY	LLC	Member & President	12/02/10	1/19/2017
35	DJT Land Holdings Member Corp	New York, NY	Corporation	President /Director	01/16/12	1/19/2017
36	DJT Operations I LLC	Palm Beach, Florida	LLC	Member/President	07/15/10	1/19/2017
37	DJT Operations II LLC	Palm Beach, Florida	LLC	Member/President	07/15/10	1/19/2017
38	DJT Operations CX LLC	Waterbury, CT	LLC	Member/President	09/12/12	1/19/2017
39	DSN Licensing LLC (fka Trump Marks Network LLC)	New York, NY	LLC	Member/President	02/26/09	11/9/2016
40	DSN Licensing Member Corp (fka Trump Marks Network Member Inc)	New York, NY	Corporation	Director/Chairman & President	1/14/2009 & 2/26/09	11/9/2016
41	DT APP Warrant Holding LLC	New York, NY	LLC	Member/President	03/02/12	1/19/2017
42	DT APP Warrant Holding Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	03/02/12	1/19/2017
43	DT Connect II LLC	Palm Beach, Florida	LLC	Member/President	07/31/14	1/19/2017
44	DT Connect II Member Corp	Palm Beach, Florida	Corporation	Director/Chairman/President	07/31/14	1/19/2017
45	DT Connect LLC	Palm Beach, Florida	LLC	Member/President	02/27/12	10/26/2015
46	DT Connect Managing Member Corp	Palm Beach, Florida	Corporation	Director/Chairman/President	02/27/12	10/22/2015
47	DT Dubai Golf Manager LLC	New York, NY	LLC	Member/President	03/20/13	1/19/2017
48	DT Dubai Golf Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	03/20/13	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
49	DT Dubai II Golf Manager LLC	New York, NY	LLC	Member/President	10/30/14	1/19/2017
50	DT Dubai II Golf Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	10/30/14	1/19/2017
51	DT Home Marks International LLC	New York, NY	LLC	Member/President	07/12/13	1/19/2017
52	DT Home Marks International Member Corp	New York, NY	Corporation	Director/Chairman/President	07/12/13	1/19/2017
53	DT India Venture LLC	New York, NY	LLC	Member/President	01/09/12	1/19/2017
54	DT India Venture Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	01/09/12	1/19/2017
55	DT Marks Baku LLC	New York, NY	LLC	Member/President	04/10/12	1/19/2017
56	DT Marks Baku Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	04/10/12	1/19/2017
57	DT Marks Dubai LLC	New York, NY	LLC	Member/President	09/05/13	1/19/2017
58	DT Marks Dubai Member Corp	New York, NY	Corporation	Director/Chairman/President	09/05/13	1/19/2017
59	DT Marks Dubai II LLC	New York, NY	LLC	Member/President	10/30/14	11/20/2015
60	DT Marks Dubai II Member Corp	New York, NY	Corporation	Director/Chairman/President	10/30/14	11/20/2015
61	DT Marks Gurgaon LLC	New York, NY	LLC	Member/President	10/28/14	1/19/2017
62	DT Marks Gurgaon Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	10/30/14	1/19/2017
63	DT Marks Jersey City LLC	New York, NY	LLC	Member/President	10/30/14	1/19/2017
64	DT Marks Jupiter LLC	New York, NY	LLC	Member/President	08/29/14	1/19/2017
65	DT Marks Qatar LLC	New York, NY	LLC	Member/President	10/30/14	1/19/2017
66	DT Marks Qatar Member Corp	New York, NY	Corporation	Director/Chairman/President	10/30/14	1/19/2017
67	DT Marks Products International LLC	New York, NY	LLC	Member/President	09/13/13	1/19/2017
68	DT Marks Products International Member Corp	New York, NY	Corporation	Director/Chairman/President	09/13/13	1/19/2017
69	DT Marks Pune LLC	New York, NY	LLC	Member/President	01/09/12	1/19/2017
70	DT Marks Pune Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	01/09/12	1/19/2017
71	DT MARKS PUNE II LLC	New York, NY	LLC	Member/President	06/18/14	1/19/2017
72	DT Marks Pune II Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	06/18/14	1/19/2017
73	DT Marks Rio LLC	New York, NY	LLC	Member/President	03/09/12	1/19/2017
74	DT Marks Rio Member Corp	New York, NY	Corporation	Director/Chairman/President	03/09/12	1/19/2017
75	DT Marks Vancouver LP	New York, NY	Partnership	Partner/President	01/22/13	1/19/2017
76	DT Marks Vancouver Manager Corp	New York, NY	Corporation	Director/Chairman/President	01/22/13	1/19/2017
77	DT Marks Worli LLC	New York, NY	LLC	Member/President	05/21/13	1/19/2017
78	DT Marks Worli Member Corp	New York, NY	Corporation	Director/Chairman/President	05/21/13	1/19/2017
79	DT Tower Gurgaon LLC	New York, NY	LLC	Member/President	03/09/15	1/19/2017
80	DT Tower Gurgaon Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	03/09/15	1/19/2017
81	DTW Venture LLC	New York, NY	LLC	Member	03/14/14	1/19/2017
82	DTW Venture Managing Member Corp	New York, NY	Corporation	Director/President	03/14/14	1/19/2017
83	East 61 St Company, L.P., The	New York, NY	Partnership	Partner	12/06/96	1/19/2017
84	EID Venture I LLC	New York, NY	LLC	Member	05/01/13	1/19/2017
85	EID Venture I Corporation	New York, NY	Corporation	President/Director	05/01/13	1/19/2017
86	Excel Venture I LLC	St. Martin, French West Indi	LLC	President/Secretary/Treasurer/Member	07/01/13	1/19/2017
87	Excel Venture I Corp.	St. Martin, French West Indi	Corporation	Director/Chairman/President	07/01/13	1/19/2017
88	Fifty Seven Management Corp	New York, NY	Corporation	Director/Chairman	08/23/12	1/19/2017
89	Fifty Seventh Street Associates LLC	New York, NY	LLC	President	11/30/95	1/19/2017
90	First Member, Inc.	New York, NY	Corporation	President	09/26/96	1/19/2017
91	Flights, Inc. (Formerly Trump Flights, Inc.)	New York, NY	Corporation	President/Treasurer/Director	07/01/99	1/19/2017
92	Florida Properties Management LLC	Palm Beach, Florida	LLC	Member	12/17/01	1/19/2017
93	Fontainbleu Apartments LLC	New York, NY	LLC	Member	11/22/95	1/19/2017
94	Golf Productions LLC	New York, NY	LLC	Member/President	06/16/09	1/19/2017

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Instructions for Part 1

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
95	Golf Productions Member Corp.	New York, NY	Corporation	President/Director/Chairman	06/16/09	1/19/2017
96	Golf Recreation Scotland Limited	Turnberry, Scotland	Foreign Entity	Director	04/18/14	1/19/2017
97	Helicopter Air Services, Inc.	New York, NY	Corporation	President	08/16/88	1/19/2017
98	Highlander Hall, Inc.	New York, NY	Corporation	Director/Vice President	08/01/69	10/15/2015
107	Indian Hills Holdings LLC f/k/a Indian Hills Development LLC	New York, NY	LLC	Member/President	2/5/1998 & 8/2000	1/19/2017
108	Jupiter Golf Club LLC (Trump National Golf Club - Jupiter)	New York, NY	LLC	President	09/28/12	1/19/2017
109	Jupiter Golf Club Managing Member Corp	New York, NY	Corporation	President/Director/Chairman	09/28/12	1/19/2017
110	Lamington Family Holdings LLC	New York, NY	LLC	President/Member	7/7/2011 & 7/6/2011	1/19/2017
111	Lawrence Towers Apartments LLC	New York, NY	LLC	Member	11/22/95	1/19/2017
112	LFB Acquisition LLC	New York, NY	LLC	President	08/29/02	1/19/2017
113	LFB Acquisition Member Corp	New York, NY	Corporation	President/Director/Chairman	11/09/11	1/19/2017
114	Mar A Lago Club, Inc	Palm Beach, Florida	Corporation	President/Treasurer/Secretary	04/16/96	1/19/2017
115	Mar A Lago Club, L.L.C.	New York, NY	LLC	Member/President	01/14/10	1/19/2017
116	Midland Associates	New York, NY	Partnership	Partner	06/15/68	1/19/2017
117	Miss Universe L.P., L.L.L.P. (Formerly Trump Pageants, L.P.)	New York, NY	Partnership	Partner	October, 1996	1/19/2017
118	Nitto World Co., Limited	Turnberry, Scotland	Foreign Entity	Director	06/11/14	1/19/2017
119	Ocean Development Member Inc.	New York, NY	Corporation	President/Director	03/08/07	1/19/2017
120	Ocean Development Services LLC	New York, NY	LLC	Member	03/08/07	10/28/2015
121	OPO Hotel Manager LLC	New York, NY	LLC	President	06/12/13	1/19/2017
122	OPO Hotel Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	06/12/13	1/19/2017
123	OWO Developer LLC	New York, NY	LLC	President/Member	11/05/14	1/19/2017
124	Panama Ocean Club Management LLC	New York, NY	LLC	Member/President	08/05/10	1/19/2017
125	Panama Ocean Club Management Member Corp	New York, NY	Corporation	President/Chairman/Director	08/05/10	1/19/2017
126	Paramount RPV Holdings LLC	New York, NY	LLC	Member/President	11/7/2011 & 1/3/13	10/14/2016
127	Paramount RPV Holdings Manager Corp	New York, NY	Corporation	President/Director/Chairman	01/03/13	10/14/2016
128	Parc Consulting, Inc.	New York, NY	Corporation	President/Director/Secretary	06/01/99	1/19/2017
129	Park Briar Associates	New York, NY	Partnership	Partner	06/24/69	1/19/2017
130	Pine Hill Development Managing Member Corp	New York, NY	Corporation	Director & Chairman/President	4/19/14 & 4/15/14 & 4/15/14	1/19/2017
131	Pine Hill Development LLC	New York, NY	LLC	President	04/15/14	1/19/2017
132	Plaza Consulting Corp	New York, NY	Corporation	President	10/22/86	1/19/2017
133	Poker Venture LLC	New York, NY	LLC	Member/President	03/19/12	1/19/2017
134	Poker Venture Managing Member Corp	New York, NY	Corporation	Director/President/Chairman	03/19/12	1/19/2017
135	Reg Tru Equities, LTD.	New York, NY	Corporation	Director/President/Secretary/Treasurer	8/7/90 & 8/26/77	1/19/2017
136	RPV Development LLC	New York, NY	LLC	Member/President	08/06/02	1/19/2017
137	Scotland Acquisitions LLC	New York, NY	LLC	Member/President	03/21/06	1/19/2017
138	Sentient Jets LLC (Now/Known/As **Trump Jets LLC**)	New York, NY	LLC	Member	09/25/08	11/9/2016
139	Sentient Jets Member Corp	New York, NY	Corporation	President/Director	09/25/08	11/9/2016
140	Seven Springs LLC	New York, NY	LLC	President	Dec. 1995	1/19/2017
142	Shore Haven Apt#1,Inc	New York, NY	Corporation	Director/Vice President	08/01/69	1/19/2017
143	Shore Haven Shopping Center LLC	New York, NY	LLC	Member	11/22/95	1/19/2017
144	SLC Turnberry Limited (Trump Turnberry)	Turnberry, Scotland	Foreign Entity	Director/Chairman	06/11/14	1/19/2017
147	Sussex Hall, Inc.	New York, NY	Corporation	Director/Vice President	08/01/69	1/19/2017
148	Restaurant 40 LLC	New York, NY	LLC	Member/President	12/21/2011 & 12/24/11	11/9/2016
149	Restaurant 40 Member Corp	New York, NY	Corporation	President/Director/Chairman/Treasurer/Secretary	12/24/11	11/9/2016
150	T International Realty LLC (dba Trump International Realty)	New York, NY	LLC	Member/President	09/12/12	1/19/2017
151	Tag Air, Inc.	New York, NY	Corporation	President/Director	08/24/10	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
153	THC Baku Hotel Manager Services LLC	New York, NY	LLC	President/Member	12/19/14	1/19/2017
154	THC Baku Hotel Manager Services Member Corp.	New York, NY	Corporation	Director/Chairman/President	12/19/14	1/19/2017
155	THC Baku Services LLC	New York, NY	LLC	Member/President	12/10/14	1/19/2017
156	THC Baku Services Member Corp	New York, NY	Corporation	Director/Chairman/President	12/10/14	1/19/2017
157	THC Barra Hotelaria LTDA.	Brazil	Foreign Entity	Member	04/15/14	1/19/2017
158	THC Central Reservations LLC	New York, NY	LLC	Member/President	09/16/13	1/19/2017
159	THC Central Reservations Member Corp	New York, NY	Corporation	Chairman/Director/President	09/16/13	1/19/2017
160	THC China Development LLC (fka Trump China Development LLC)	New York, NY	LLC	President	02/20/08	1/19/2017
162	THC Development Brazil Managing Member Corp	New York, NY	Corporation	Chairman/Director/President	05/15/13	1/19/2017
163	THC Development Brazil LLC	New York, NY	LLC	Member/President	05/15/13	1/19/2017
164	THC Dubai II Hotel Manager LLC	New York, NY	LLC	Member/President	10/30/14	11/20/2015
165	THC Dubai II Hotel Manager Member Corp	New York, NY	Corporation	Chairman/Director/President	10/30/14	11/20/2015
166	THC Hotel Development LLC	New York, NY	LLC	Member/President	10/11/12	1/19/2017
167	THC IMEA Development LLC	New York, NY	LLC	President	01/16/12	1/19/2017
168	THC Miami Restaurant Hospitality Member Corp	New York, NY	Corporation	Chairman/Director/President	02/01/13	1/19/2017
169	THC Miami Restaurant Hospitality LLC	New York, NY	LLC	Member/President	02/01/13	1/19/2017
170	THC Rio Managing Member Corp	New York, NY	Corporation	Chairman/Director/President	04/11/13	1/19/2017
171	THC Rio Manager LLC	New York, NY	LLC	Member/President	04/11/13	1/19/2017
172	THC Sales & Marketing LLC	New York, NY	LLC	Member/President	09/17/13	1/19/2017
173	THC Sales & Marketing Member Corp	New York, NY	Corporation	Chairman/Director/President	09/17/13	1/19/2017
174	THC China Technical Services Manager Corp	New York, NY	Corporation	Chairman/Director/President	05/16/14	1/19/2017
175	THC China Technical Services LLC	New York, NY	LLC	Member/President	05/16/14	1/19/2017
176	THC Qatar Hotel Manager LLC	New York, NY	LLC	Member/President	10/30/14	1/19/2017
177	THC Qatar Hotel Manager Member Corp	New York, NY	Corporation	Chairman/Director/President	10/30/14	10/18/2016
178	THC Services Shenzhen LLC	New York, NY	LLC	Member/President	11/25/14	1/19/2017
179	THC Services Shenzhen Member Corp	New York, NY	Corporation	Chairman/Director/President	11/25/14	1/19/2017
180	THC Shenzhen Hotel Manager LLC	New York, NY	LLC	Member/President	11/25/14	1/19/2017
181	THC Shenzhen Hotel Manager Member Corp	New York, NY	Corporation	Chairman/Director/President	11/25/14	1/19/2017
182	THC Vancouver Management Corp	New York, NY	Corporation	Chairman/Director/President	01/23/13	1/19/2017
183	THC Vancouver Payroll ULC	British Columbia (Canada)	Corporation	Director/President	02/20/15	1/19/2017
184	THC Venture I LLC	New York, NY	LLC	Member/President	03/14/14	1/19/2017
185	THC Venture II LLC	New York, NY	LLC	Member/President	03/14/14	1/19/2017
186	THC Venture III LLC - N/K/A TTTT Venture LLC	New York, NY	LLC	President/	10/27/14	1/19/2017
187	THC Venture I Managing Member Corp.	New York, NY	Corporation	Chairman/Director/President	03/14/14	1/19/2017
188	THC Venture II Managing Member Corp.	New York, NY	Corporation	Chairman/Director/President	03/14/14	1/19/2017
189	THC Venture III Member Corp - N/K/A TTTT Venture Member Corp	New York, NY	Corporation	Chairman/Director/President	10/27/14	1/19/2017
190	The Donald J. Trump Foundation, Inc.	New York, NY	Non profit	Director	02/18/87	1/19/2017
191	The Trump Corporation	New York, NY	Corporation	Director/President/Chairman	07/30/80	1/19/2017
192	The Trump Follies Member Inc.	New York, NY	Corporation	Chairman/Director/President	12/13/10	1/19/2017
193	The Trump Equitable Fifth Avenue Company	New York, NY	Partnership	Partner	01/30/80	1/19/2017
194	TIGL Common Area Management Corp	New York, NY	Corporation	President/Director	02/21/14	1/19/2017
195	TIGL Common Area Management Holdings LLC	New York, NY	LLC	Member/President	02/21/14	12/30/2015
196	TIGL Ireland Enterprises Limited (Trump International Golf Links - Doonbeg)	Doonbeg, Ireland	Foreign Entity	Director/President	02/24/14	1/19/2017
197	TIGL Ireland Management Limited	Doonbeg, Ireland	Foreign Entity	President/Director	02/24/14	1/19/2017
198	TIHC Reservations LLC	New York, NY	LLC	Member/President	08/09/10	1/19/2017
199	TIHH Member Corp	New York, NY	Corporation	President/Director	09/10/09	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
200	TIHH Member LLC	New York, NY	LLC	Member/President	09/10/09	1/19/2017
201	TIHM Member Corp	New York, NY	Corporation	President/Director	06/13/06	1/19/2017
202	TIHT Chicago Member Acquisition LLC	New York, NY	LLC	President	06/03/04	1/19/2017
203	TIHT Commercial LLC	New York, NY	LLC	Member/President	12/30/98	1/19/2017
204	TIHT Holding Company LLC	New York, NY	LLC	Member/President	01/18/05	1/19/2017
205	TIHT Member LLC	New York, NY	LLC	Member/President	07/20/06	1/19/2017
206	Tipperary Realty Corp.	New York, NY	Corporation	President/Treasurer/Director	11/13/75	1/19/2017
207	TMG Member, LLC	New York, NY	LLC	Member	01/15/99	1/19/2017
208	TNGC Charlotte LLC	New York, NY	LLC	President	10/20/11	1/19/2017
209	TNGC Charlotte Manager Corp	New York, NY	Corporation	President/Chairman/Director	10/20/11	1/19/2017
210	TNGC Dutchess County LLC (fka Trump Marks Classis Cars LLC)	New York, NY	LLC	President	11/17/09	1/19/2017
211	TNGC Dutchess County Member Corp (fka Trump Marks Classic Cars Member Corp)	New York, NY	Corporation	President/Chairman/Director	11/17/09	1/19/2017
212	TNGC Jupiter Management LLC	New York, NY	LLC	President	06/26/14	1/19/2017
213	TNGC Jupiter Managing Member Corp	New York, NY	Corporation	President/Chairman/Director	06/26/14	1/19/2017
214	TNGC Pine Hill LLC (fka Crest Court LLC) (Trump National Golf Club - Philadelphia)	New York, NY	LLC	President	11/17/09	1/19/2017
215	TNGC Pine Hill Member Corp. (fka Crest Court Member Corp)	New York, NY	Corporation	President/Chairman/Director	11/17/09	1/19/2017
216	Toronto Development LLC	New York, NY	LLC	Member/President	06/28/01	1/19/2017
217	TP CFD LLC	New York, NY	LLC	Member/President	11/28/12	10/18/2016
218	TP CFD Manager Corp.	New York, NY	Corporation	President/Chairman/Director	11/28/12	10/18/2016
219	Travel Enterprises Management, Inc (Formerly Toys at Trump, Inc.)	New York, NY	Corporation	President/CEO	03/24/86	1/19/2017
220	Trump 106 CPS LLC	New York, NY	LLC	Member/President	03/28/97	1/19/2017
223	Trump 845 LP LLC	New York, NY	LLC	Member/President	09/19/03	1/19/2017
224	Trump 845 UN GP LLC	New York, NY	LLC	Member/President/Treasurer	06/20/97	1/19/2017
225	Trump 845 UN MGR Corp	New York, NY	Corporation	President	10/14/98	1/19/2017
226	Trump 845 UN MGR LLC (F/K/A 845 UN LLC)	New York, NY	LLC	President/Treasurer/Member	05/14/97	1/19/2017
227	Trump AC Casino Marks LLC	New York, NY	LLC	President/Member	08/03/10	1/19/2017
228	Trump AC Casino Marks Member Corp	New York, NY	Corporation	President/Chairman/Director	08/03/10	1/19/2017
229	Trump Acquisition Corp.	New York, NY	Corporation	President/Chairman/Director	02/06/08	1/19/2017
230	Trump Acquisition, LLC	New York, NY	LLC	Member/President	02/06/08	1/19/2017
231	Trump Books LLC	New York, NY	LLC	Member/President	10/03/11	1/19/2017
232	Trump Books Manager Corp	New York, NY	Corporation	President/Chairman/Director	10/03/11	1/19/2017
233	Trump Brazil LLC	New York, NY	LLC	President/Member	09/08/03	1/19/2017
234	Trump Briarcliff Manor Development LLC (formerly Briar Hall Development LLC)	New York, NY	LLC	President	03/04/96	1/19/2017
235	Trump Canadian Services Inc	New York, NY	Corporation	President/Secretary	March-03	1/19/2017
236	Trump Canouan Estate LLC	New York, NY	LLC	President/Member	12/19/07	1/19/2017
237	Trump Canouan Estate Member Corp	New York, NY	Corporation	President/Chairman/Director	12/19/07	1/19/2017
238	Trump Caribbean LLC	New York, NY	LLC	Member	08/27/01	1/19/2017
239	Trump Carousel LLC	New York, NY	LLC	President/Member	02/18/10	1/19/2017
240	Trump Carousel Member Corp	New York, NY	Corporation	President/Chairman/Director	02/18/10	1/19/2017
241	Ace Entertainment Holdings Inc (f/k/a Trump Casinos Inc. & Formerly Trump Taj Mahal, Inc.)	Atlantic City, NJ	Corporation	Chairman/Treasurer	08/03/88	1/19/2017
242	Trump Central Park West Corp	New York, NY	Corporation	President	September-94	1/19/2017
243	Trump Chicago Commercial Member Corp	New York, NY	Corporation	President/Chairman/Director	07/08/10	1/19/2017
244	Trump Chicago Commercial Manager LLC	New York, NY	LLC	President/Member	06/28/10	1/19/2017
245	Trump Chicago Development LLC	New York, NY	LLC	President/Member	12/26/01	1/19/2017
246	Trump Chicago Hotel Member Corp	New York, NY	Corporation	President/Chairman/Director	07/08/10	1/19/2017
247	Trump Chicago Hotel Manager LLC	New York, NY	LLC	President/Member	06/28/10	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
248	Trump Chicago Managing Member LLC	New York, NY	LLC	President	10/01/04	1/19/2017
249	Trump Chicago Member LLC	New York, NY	LLC	President	October-04	1/19/2017
250	Trump Chicago Residential Member Corp	New York, NY	Corporation	President/Chairman/Director	07/08/10	1/19/2017
251	Trump Chicago Residential Manager LLC	New York, NY	LLC	President/Member	06/28/10	1/19/2017
252	Trump Chicago Retail LLC	New York, NY	LLC	President	10/16/12	1/19/2017
253	Trump Chicago Retail Manager LLC	New York, NY	LLC	President/Member	10/23/12	1/19/2017
254	Trump Chicago Retail Member Corp	New York, NY	Corporation	President/Chairman/Director	10/23/12	1/19/2017
255	Trump Classic Cars LLC	New York, NY	LLC	President/Member	06/24/10	10/17/2016
256	Trump Classic Cars Member Corp	New York, NY	Corporation	President/Chairman/Director	06/24/10	10/17/2016
257	Trump Commercial Chicago LLC	New York, NY	LLC	President	08/29/07	1/19/2017
260	Trump CPS Corp	New York, NY	Corporation	Director	11/06/96	1/19/2017
261	Trump CPS LLC	New York, NY	LLC	Member & President	11/6/1996 & 11/16/06	1/19/2017
262	Trump Delmonico LLC	New York, NY	LLC	Member	11/21/01	1/19/2017
263	Trump Development Services LLC	New York, NY	LLC	President/Member	09/28/09	1/19/2017
264	Trump Development Services Member Corp.	New York, NY	Corporation	President/Director	09/28/09	1/19/2017
265	Trump Drinks Israel Holdings LLC	New York, NY	LLC	Member/President	05/25/11	10/26/2015
266	Trump Drinks Israel Holdings Member Corp	New York, NY	Corporation	President/Director/Chairman	05/25/11	10/22/2015
267	Trump Drinks Israel LLC	New York, NY	LLC	Member/President	05/25/11	1/19/2017
268	Trump Drinks Israel Member Corp	New York, NY	Corporation	President/Director/Chairman	05/25/11	1/19/2017
269	Trump Education ULC	Nova Scotia (Canada)	Corporation	Chairman/Director	05/28/09	1/19/2017
270	Trump Empire State, Inc.	New York, NY	Corporation	President/Treasurer/Director	04/18/94	1/19/2017
271	Trump Endeavor 12 LLC (Trump National Doral)	New York, NY	LLC	President	10/06/11	1/19/2017
272	Trump Endeavor 12 Manager Corp	New York, NY	Corporation	President/Director/Chairman	10/06/11	1/19/2017
273	Trump EU Marks LLC	New York, NY	LLC	Member/President/Secretary/Treasurer	08/04/11	1/19/2017
274	Trump EU Marks Member Corp	New York, NY	Corporation	President/Director/Chairman	08/04/11	1/19/2017
275	The Trump Entrepreneur Initiative LLC (f/k/a Trump University CA LLC)	New York, NY	LLC	Member	05/14/09	1/19/2017
276	Trump Ferry Point LLC	New York, NY	LLC	President/Member	06/04/10	1/19/2017
277	Trump Ferry Point Member Corp	New York, NY	Corporation	President/Director/Chairman	06/04/10	1/19/2017
278	Trump Florida Management LLC	New York, NY	LLC	Member	06/13/05	1/19/2017
279	Trump Florida Manager Corp.	New York, NY	Corporation	Director/President	06/10/05	1/19/2017
280	The Trump Follies LLC	New York, NY	LLC	Member & President	12/14/06	1/19/2017
283	Trump Golf Acquisition LLC	New York, NY	LLC	Member/President	04/23/10	1/19/2017
284	Trump Golf Coco Beach LLC	New York, NY	LLC	Member/President	12/11/07	1/19/2017
285	Trump Golf Coco Beach Member Corp	New York, NY	Corporation	Director/President	12/11/07	1/19/2017
286	Trump Golf Management LLC	New York, NY	LLC	Member/President	01/28/05	1/19/2017
287	Trump Home Marks LLC	New York, NY	LLC	Member/President	11/19/09	1/19/2017
288	Trump Home Marks Member Corp	New York, NY	Corporation	President/Director	11/19/09	1/19/2017
289	Trump Ice LLC	New York, NY	LLC	President/Member	03/25/04	1/19/2017
290	Trump Ice, Inc.	New York, NY	Corporation	Director/President	03/03/99	1/19/2017
293	Trump International Development LLC	New York, NY	LLC	Member/President	11/29/10	1/19/2017
294	Trump International Development Member Corp	New York, NY	Corporation	President/Director/Chairman	11/29/10	1/19/2017
295	Trump International Golf Club LC (Trump International Golf Club - Florida)	Palm Beach, Florida	LLC	Member & President	5/3/1997 & 11/1/13	1/19/2017
296	Trump International Golf Club Scotland Limited	Aberdeen, Scotland	Foreign Entity	Director & Chairman	1/24/06 & 3/13/06	1/19/2017
297	Trump International Golf Club, Inc.	Palm Beach, Florida	Corporation	President/Director/Secretary/Treasurer	12/09/96	1/19/2017
298	Trump International Hotel and Tower Condominium	New York, NY	Condominium Association	President	September-98	1/19/2017
299	Trump International Hotel Hawaii LLC	New York, NY	LLC	President	09/10/09	1/19/2017

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Instructions for Part 1

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
300	Trump International Hotels Management LLC	New York, NY	LLC	President/Member	06/13/06	1/19/2017
301	Trump International Management Corp	New York, NY	Corporation	President/Director	07/02/96	1/19/2017
304	Trump Korean Projects LLC	New York, NY	LLC	Member	05/04/99	1/19/2017
305	Trump Las Olas LLC	New York, NY	LLC	Member	06/10/05	1/19/2017
306	Trump Las Olas Member Corp	New York, NY	Corporation	Director/President	06/10/05	1/19/2017
307	Trump Las Vegas Corp.	Las Vegas, NV	Corporation	Director/President	12/04/09	1/19/2017
308	Trump Las Vegas Development LLC	Las Vegas, NV	LLC	President/Member	10/10/02	1/19/2017
309	Trump Las Vegas Managing Member LLC	Las Vegas, NV	LLC	President/Member	10/10/02	1/19/2017
312	Trump Las Vegas Member LLC	Las Vegas, NV	LLC	President/Member	10/01/02	1/19/2017
314	Trump Las Vegas Sales & Marketing Inc	Las Vegas, NV	Corporation	President	10/08/04	1/19/2017
316	Trump Lauderdale Development 2 LLC	New York, NY	LLC	Member	09/08/04	1/19/2017
317	Trump Lauderdale Development LLC	New York, NY	LLC	President & Member	1/12/04 & 9/22/2003	1/19/2017
318	Trump Management Inc.	New York, NY	Corporation	Director & VP	04/22/69	1/19/2017
319	Trump Marketing LLC	New York, NY	LLC	Member/President	02/10/11	1/19/2017
320	Trump Marks Asia Corp	New York, NY	Corporation	President/Chairman/Director	03/03/08	1/19/2017
321	Trump Marks Asia LLC	New York, NY	LLC	President	2/29/2008 11/14/11 & 2/29/08	1/19/2017
322	Trump Marks Atlanta LLC	New York, NY	LLC	Member/President	05/01/08	1/19/2017
323	Trump Marks Atlanta Member Corp	New York, NY	Corporation	President/Director/Chairman	05/01/08	1/19/2017
324	Trump Marks Baja Corp.	New York, NY	Corporation	President/Director	06/13/07	10/22/2015
325	Trump Marks Baja LLC	New York, NY	LLC	Member & President	06/13/07	10/26/2015
326	Trump Marks Batumi LLC	New York, NY	LLC	Member & President	3/3/11 & 3/9/11	1/19/2017
327	Trump Marks Batumi Member Corp	New York, NY	Corporation	President/Director/Chairman	03/09/11	1/19/2017
328	Trump Marks Beverages Corp	New York, NY	Corporation	President/Director/Chairman	09/25/07	10/22/2015
329	Trump Marks Beverages LLC	New York, NY	LLC	Member/President	09/25/07	10/26/2015
330	Trump Marks Canouan Corp	New York, NY	Corporation	President/Director/Chairman	05/17/07	1/19/2017
331	Trump Marks Canouan LLC	New York, NY	LLC	Member/President	05/17/07	1/19/2017
332	Trump Marks Chicago LLC	New York, NY	LLC	Member/President	04/14/10	1/19/2017
333	Trump Marks Chicago Member Corp	New York, NY	Corporation	President/Director/Chairman	04/14/10	1/19/2017
336	Trump Marks Dubai Corp	New York, NY	Corporation	President/Director/Chairman	06/13/07	1/19/2017
337	Trump Marks Dubai LLC	New York, NY	LLC	President/Member	06/13/07	1/19/2017
338	Trump Marks Egypt Corp	New York, NY	Corporation	President/Director/Chairman	09/17/07	1/19/2017
339	Trump Marks Egypt LLC	New York, NY	LLC	President/Member	09/17/07	1/19/2017
340	Trump Marks Fine Foods LLC	New York, NY	LLC	President/Member	09/11/09	1/19/2017
341	Trump Marks Fine Foods Member Corp	New York, NY	Corporation	President/Director/Chairman	09/11/09	1/19/2017
342	Trump Marks Ft. Lauderdale LLC	New York, NY	LLC	President/Member	11/06/07	1/19/2017
343	Trump Marks Ft. Lauderdale Member Corp	New York, NY	Corporation	President/Director/Chairman	11/06/07	1/19/2017
346	Trump Marks GP Corp	New York, NY	Corporation	President/Director/Chairman	07/12/05	1/19/2017
347	Trump Marks Holding LP (FKA Trump Marks LP)	New York, NY	Partnership	Partner	05/25/05	1/19/2017
348	Trump Marks Hollywood Corp	New York, NY	Corporation	Director/Chairman/President	04/10/07	1/19/2017
349	Trump Marks Hollywood LLC	New York, NY	LLC	President/Member	04/09/07	1/19/2017
350	Trump Marks Istanbul II Corp.	New York, NY	Corporation	Director/Chairman/President	03/19/08	1/19/2017
351	Trump Marks Istanbul II LLC	New York, NY	LLC	President/Member	03/18/08	1/19/2017
352	Trump Marks Jersey City Corp.	New York, NY	Corporation	Director/President	06/27/07	1/19/2017
353	Trump Marks Jersey City LLC	New York, NY	LLC	President/Member	06/22/07	1/19/2017
354	Trump Marks Las Vegas Corp	New York, NY	Corporation	Director/President	09/10/07	1/19/2017
355	Trump Marks Las Vegas LLC	New York, NY	LLC	President/Member	09/10/07	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
356	Trump Marks LLC	New York, NY	LLC	President	02/28/05	1/19/2017
357	Trump Marks Magazine Corp	New York, NY	Corporation	Director/President	09/11/07	11/9/2016
358	Trump Marks Magazine LLC	New York, NY	LLC	President/Member	09/11/07	11/9/2016
359	Trump Marks Mattress LLC	New York, NY	LLC	President/Member	08/07/08	1/19/2017
360	Trump Marks Mattress Member Corp.	New York, NY	Corporation	Director/Chairman/President	08/07/08	1/19/2017
361	Trump Marks Menswear LLC	New York, NY	LLC	President/Member	08/24/09	1/19/2017
362	Trump Marks Menswear Member Corp	New York, NY	Corporation	Director/President	08/24/09	1/19/2017
363	Trump Marks Mortgage Corp.	New York, NY	Corporation	President/Director	06/19/07	1/19/2017
364	Trump Marks Mtg LLC	New York, NY	LLC	President/Member	08/23/07	1/19/2017
365	Trump Marks Mumbai LLC	New York, NY	LLC	President/Member	10/11/10	1/19/2017
366	Trump Marks Mumbai Member Corp	New York, NY	Corporation	President/Director/Chairman	10/11/10	1/19/2017
369	Trump Marks New Rochelle Corp.	New York, NY	Corporation	Director/President	06/13/07	1/19/2017
370	Trump Marks New Rochelle LLC	New York, NY	LLC	President/Member	06/13/07	1/19/2017
371	Trump Marks Palm Beach Corp.	New York, NY	Corporation	Director/President	06/12/07	1/19/2017
372	Trump Marks Palm Beach LLC	New York, NY	LLC	President/Member	06/12/07	1/19/2017
373	Trump Marks Panama Corp	New York, NY	Corporation	Director/President	04/26/07	1/19/2017
374	Trump Marks Panama LLC	New York, NY	LLC	President/Member	04/26/07	1/19/2017
375	Trump Marks Philadelphia Corp	New York, NY	Corporation	Director/President	04/18/07	1/19/2017
376	Trump Marks Philadelphia LLC	New York, NY	LLC	President/Member	04/18/07	1/19/2017
377	Trump Marks Philippines LLC	New York, NY	LLC	President/Member	03/03/08	1/19/2017
378	Trump Marks Philippines Corp	New York, NY	Corporation	Director/President	03/03/08	1/19/2017
379	Trump Marks Products LLC	New York, NY	LLC	President/Member	09/13/10	1/19/2017
380	Trump Marks Products Member Corp	New York, NY	Corporation	President/Director/Chairman	09/13/10	1/19/2017
381	Trump Marks Puerto Rico I LLC	New York, NY	LLC	President/Member	12/11/07	1/19/2017
382	Trump Marks Puerto Rico I Member Corp	New York, NY	Corporation	Director/President	12/11/07	1/19/2017
383	Trump Marks Puerto Rico II LLC	New York, NY	LLC	President/Member	07/08/08	11/9/2016
384	Trump Marks Puerto Rico II Member Corp	New York, NY	Corporation	President/Chairman/Director	07/08/08	11/10/2016
385	Trump Marks Punta del Este LLC	New York, NY	LLC	President/Member	01/05/12	1/19/2017
386	Trump Marks Punta del Este Manager Corp	New York, NY	Corporation	President/Director/Chairman	01/05/12	1/19/2017
387	The Donald J. Trump Company LLC	New York, NY	LLC	Manager	04/07/14	1/19/2017
388	The Trump Marks Real Estate Corp	New York, NY	Corporation	Chairman/Director & President	02/23/07	1/19/2017
389	Trump Marks Real Estate LLC	New York, NY	LLC	President/Member	08/01/07	1/19/2017
390	Trump Marks SOHO License Corp	New York, NY	Corporation	President/Chairman/Director	06/11/07	1/19/2017
391	Trump Marks SOHO LLC	New York, NY	LLC	President/Member	06/11/07	1/19/2017
394	Trump Marks Stamford Corp	New York, NY	Corporation	Director/President	06/13/07	1/19/2017
395	Trump Marks Stamford LLC	New York, NY	LLC	President/Member	06/13/07	1/19/2017
396	Trump Marks Sunny Isles I LLC	New York, NY	LLC	President/Member	11/06/07	1/19/2017
397	Trump Marks Sunny Isles I Member Corp.	New York, NY	Corporation	Director/President	11/06/07	1/19/2017
398	Trump Marks Sunny Isles II LLC	New York, NY	LLC	President/Member	11/06/07	1/19/2017
399	Trump Marks Sunny Isles II Member Corp.	New York, NY	Corporation	Director/President	11/06/07	1/19/2017
400	Trump Marks Tampa Corp	New York, NY	Corporation	Director/President	10/26/07	1/19/2017
401	Trump Marks Tampa LLC	New York, NY	LLC	President/Member	10/26/07	1/19/2017
402	Trump Marks Toronto Corp	New York, NY	Corporation	Director/President	08/09/07	1/19/2017
403	Trump Marks Toronto LLC	New York, NY	LLC	President/Member	08/09/07	1/19/2017
404	Trump Marks Toronto LP (formally Trump Toronto Management LP)	New York, NY	Partnership	Partner	03/19/08	1/19/2017
405	Trump Marks Waikiki Corp	New York, NY	Corporation	Director/President	04/10/07	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
406	Trump Marks Waikiki LLC	New York, NY	LLC	President/Member	04/09/07	1/19/2017
407	Trump Marks Westchester Corp.	New York, NY	Corporation	Director/President	06/13/07	1/19/2017
408	Trump Marks Westchester LLC	New York, NY	LLC	President/Member	06/13/07	1/19/2017
409	Trump Marks White Plains Corp	New York, NY	Corporation	President/Director	06/13/07	1/19/2017
410	Trump Marks White Plains LLC	New York, NY	LLC	President/Member	06/13/07	1/19/2017
411	Trump Miami Resort Management LLC	New York, NY	LLC	President/Member	03/22/12	1/19/2017
412	Trump Miami Resort Management Member Corp	New York, NY	Corporation	President/Director/Chairman	03/22/12	1/19/2017
413	Trump National Golf Club Colts Neck LLC	New York, NY	LLC	President/Member	07/10/08	1/19/2017
414	Trump National Golf Club Colts Neck Member Corp	New York, NY	Corporation	President/Director/Chairman	07/10/08	1/19/2017
415	Trump National Golf Club LLC (Trump National Golf Club - Westchester)	New York, NY	LLC	President	08/02/00	1/19/2017
416	Trump National Golf Club Member Corp	New York, NY	Corporation	Director/President/Chairman	11/09/11	1/19/2017
417	Trump National Golf Club Washington DC LLC	New York, NY	LLC	President	02/03/09	1/19/2017
418	Trump National Golf Club Washington DC Member Corp.	New York, NY	Corporation	President/Chairman/Director	02/03/09	1/19/2017
419	Trump Ocean Manager Inc.	New York, NY	Corporation	President	09/14/06	11/10/2016
420	Trump Ocean Managing Member LLC	New York, NY	LLC	President	08/31/06	10/27/2015
421	Trump Old Post Office LLC	New York, NY	LLC	President/Member	06/30/11	1/19/2017
422	Trump Old Post Office Member Corp.	New York, NY	Corporation	President/Director/Chairman	06/30/11	1/19/2017
423	Trump On the Ocean LLC	New York, NY	LLC	President	9/14/06 & 2/27/2007	10/28/2015
424	Trump Organization LLC	New York, NY	LLC	Chairman and President/Member	2/1/09 & August,2000	1/19/2017
425	The Trump Organization, Inc.	New York, NY	Corporation	Director/President/Chairman	05/01/81	1/19/2017
426	Trump Pageants, Inc.	New York, NY	Corporation	Director & Chairman/President	10/16/96 & 5/1/06	1/19/2017
427	Trump Palace Condominium	New York, NY	Condominium Association	President	03/27/91	1/19/2017
428	Trump Palace/Parc LLC	New York, NY	LLC	Member	10/01/96	1/19/2017
429	Trump Panama Condominium Management LLC	New York, NY	LLC	President/Member	12/13/10	1/19/2017
430	Trump Panama Condominium Member Corp	New York, NY	Corporation	President/Director/Chairman	12/13/10	1/19/2017
431	Trump Panama Hotel Management LLC	New York, NY	LLC	Member	08/05/10	1/19/2017
432	Trump Panama Hotel Management Member Corp	New York, NY	Corporation	President/Director/Chairman	08/05/10	1/19/2017
433	Trump Parc East Condominium	New York, NY	Condominium Association	President	04/30/98	1/19/2017
434	Trump Park Avenue Acquisition LLC	New York, NY	LLC	Member/President	Nov. 2004	1/19/2017
435	Trump Park Avenue LLC	New York, NY	LLC	President	01/31/02	1/19/2017
436	Trump Payroll Chicago LLC	New York, NY	LLC	President	08/29/07	1/19/2017
437	Trump Payroll Corp.	New York, NY	Corporation	President/Treasurer/Secretary/Director	04/16/96	1/19/2017
438	Trump Phoenix Development LLC	New York, NY	LLC	President/Member	08/28/03	1/19/2017
439	Trump Plaza LLC	New York, NY	LLC	Member	10/27/97	1/19/2017
440	Trump Plaza Member Inc. (F/K/A Trump Plaza Corp.)	New York, NY	Corporation	Director/President/Treasurer	08/02/04	1/19/2017
442	Trump Productions LLC (former Rancho Lien LLC)	New York, NY	LLC	Member/President	05/18/06	1/19/2017
443	Trump Production Managing Member Inc	New York, NY	Corporation	Director/Chairman/President/Treasurer/Secretary	05/18/06	1/19/2017
444	Trump Project Management Corp.	New York, NY	Corporation	President	04/16/96	11/10/2016
446	Trump Realty Services, LLC (f/k/a Trump Mortgage Services LLC (03) & Tower Mortgage Services LLC)	Palm Beach, Florida	LLC	President/Member	05/09/00	1/19/2017
447	Trump Restaurants LLC	New York, NY	LLC	President/Member	07/31/12	1/19/2017
449	Trump Riverside Management LLC	New York, NY	LLC	Member	09/26/00	1/19/2017
450	Trump Ruffin Commercial LLC	New York, NY	LLC	President	07/25/07	1/19/2017
451	Trump Ruffin LLC	Las Vegas, NV	LLC	President	10/22/02	1/19/2017
452	Trump Ruffin Tower I LLC	Las Vegas, NV	LLC	President & Director	4/8/2005 & 7/12/05	1/19/2017
453	Trump Sales & Leasing Chicago LLC	Chicago, IL	LLC	Member/President	10/20/09 & 10/21/09	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
454	Trump Sales & Leasing Chicago Member Corp	Chicago, IL	Corporation	Member/Director/President	10/20/09 & 10/21/09 & 10/21/09	1/19/2017
455	Trump Scotland Member Inc	Aberdeen, Scotland	Corporation	Director/President/Chairman	03/01/06	1/19/2017
456	Trump Scotsborough Square LLC	Scotsborough Sq. VA	LLC	President	07/07/11	1/19/2017
457	Trump Scotsborough Square Member Corp.	Scotsborough Sq. VA	Corporation	President/Chairman/Director	07/07/11	1/19/2017
458	Trump SoHo Hotel Condominium New York	New York, NY	Condominium Association	Member of the Board	08/03/07	1/19/2017
459	Trump Soho Member LLC	New York, NY	LLC	Member/President	04/24/06	1/19/2017
460	Trump Toronto Development Inc	New York, NY	Corporation	President/Director/Secretary	04/02/03	1/19/2017
461	Trump Toronto Hotel Management Corp.	Toronto, CA	Corporation	President	05/30/08	1/19/2017
462	Trump Toronto Member Corp. (formally Trump Toronto Management Member Corp)	New York, NY	Corporation	Director/Chairman	03/19/08	1/19/2017
463	Trump Tower Commercial LLC	New York, NY	LLC	President	12/22/97	1/19/2017
464	Trump Tower Condominium Residential Section	New York, NY	Condominium Association	President	03/23/83	1/19/2017
465	Trump Tower Managing Member Inc	New York, NY	Corporation	President	12/22/97	1/19/2017
466	Trump Village Construction Corp.	New York, NY	Corporation	Director/Vice President	08/01/69	1/19/2017
467	Trump Vineyard Estates LLC	New York, NY	LLC	President	03/18/11	1/19/2017
468	Trump Vineyard Estates Manager Corp.	New York, NY	Corporation	President/Director/Chairman	03/18/11	1/19/2017
469	Trump Vineyard Estates Lot 3 Owner LLC (fka Eric Trump Land Holdings LLC)	New York, NY	LLC	President	08/15/11	1/19/2017
470	Trump Vineyard Estates Manager Corp	New York, NY	Corporation	President/Director/Chairman	03/18/11	1/19/2017
471	Trump Virginia Acquisitions LLC (fka Virginia Acquisitions LLC)	New York, NY	LLC	Member/President	3/4/2011 & 1/25/11	1/19/2017
472	Trump Virginia Acquisitions Manager Corp.	New York, NY	Corporation	President/Director/Chairman	03/15/11	1/19/2017
473	Trump Virginia Lot 5 LLC	New York, NY	LLC	President	06/28/11	1/19/2017
474	Trump Virginia Lot 5 Manager Corp.	New York, NY	Corporation	President/Director/Chairman	06/28/11	1/19/2017
475	Trump Wine Marks LLC	New York, NY	LLC	President/Secretary/Treasurer	06/21/11	1/19/2017
476	Trump Wine Marks Member Corp.	New York, NY	Corporation	Director & Chairman/ President	6/21/2011 & 6/21/08	1/19/2017
477	Trump World Productions LLC	New York, NY	LLC	Member/President	09/29/11	1/19/2017
478	Trump World Productions Manager Corp	New York, NY	Corporation	Director/Chairman/President	09/29/11	1/19/2017
479	Trump World Publications LLC	New York, NY	LLC	Member/President	09/29/11	1/19/2017
480	Trump/New World Property Management LLC	New York, NY	LLC	President	11/22/00	1/19/2017
481	Trump's Castle Management Corp	Atlantic City, NJ	Corporation	President	03/24/92	1/19/2017
482	Trump Marks White Plains Corp	New York, NY	Corporation	President/Director	06/13/07	1/19/2017
484	Turnberry Scotland Managing Member Corp	Turnberry, Scotland	Corporation	Director/Chairman/President	04/09/14	1/19/2017
485	Turnberry Scotland LLC	Turnberry, Scotland	LLC	President	04/09/14	1/19/2017
486	TW Venture I LLC	Palm Beach, Florida	LLC	President	11/19/13	1/19/2017
487	TW Venture II LLC	Doonbeg, Ireland	LLC	President	01/31/14	1/19/2017
488	TW Venture I Managing Member Corp	Palm Beach, Florida	Corporation	President/Director/Chairman	11/19/13	1/19/2017
489	TW Venture II Managing Member Corp	Doonbeg, Ireland	Corporation	President/Director/Chairman	01/31/14	1/19/2017
490	Ultimate Air Corp.	New York, NY	Corporation	President/Treasurer/Secretary/Director	4/16/96 &12/9/1993	1/19/2017
491	Unit 2502 Enterprises Corp	Chicago, IL	Corporation	President/Director	07/21/08	1/19/2017
492	Unit 2502 Enterprises LLC	Chicago, IL	LLC	Member/President	7/16/08 & 7/18/08	1/19/2017
493	VH Property Corp (Trump National Golf Club - Los Angeles)	Los Angeles, CA	Corporation	Secretary/President/Director	9/22/00 & 12/2/02 11/26/02 & 11/25/02	1/19/2017
494	VHPS LLC	Los Angeles, CA	LLC	President/Member	5/28/08 & 12/1/04	1/19/2017
495	West Palm Operations LLC	WPB, Florida	LLC	Member/President	8/27/10 & 9/1/10	1/19/2017
496	Wexford Hall Inc.	New York, NY	Corporation	Director/Vice President	08/01/69	1/19/2017
497	White Course LLC	Miami, Florida	LLC	President	03/20/12	1/19/2017
498	White Course Managing Member Corp	Miami, Florida	Corporation	Director/Chairman/President	03/20/12	1/19/2017
499	Wilshire Hall LLC	New York, NY	LLC	Member	11/22/95	1/19/2017
500	Wollman Rink Operations LLC	New York, NY	LLC	Member/President	9/24/01 & 11/1/01	1/19/2017

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Part 1: Filer's Positions Held Outside United States Government

#	Organiztion Name	City/State	Organiztion Type	Position Held	From	To
501	Yorktown Real Estate LLC (F/K/A/ Yorktown Development Associates LLC)	New York, NY	LLC	Member/President	09/30/97	1/19/2017
502	The Fred C. Trump December 16, 1976 Trust- F/B/O Donald J. Trump	New York, NY	Trust	Trustee	December-76	1/19/2017
504	The Fred C. Trump December 16, 1976 Trust- F/B/O Robert S. Trump	New York, NY	Trust	Trustee	December-76	1/19/2017
505	The Fred C. Trump December 16, 1976 Trust- F/B/O Elizabeth J. Trump	New York, NY	Trust	Trustee	December-76	1/19/2017
509	Fred C. Trump, GRAT Trust- F/B/O Elizabeth Trump Grau	New York, NY	Trust	Trustee	November-97	1/19/2017
510	Trust U/W/O Fred C. Trump- F/B/O Elizabeth Trump Grau	New York, NY	Trust	Trustee	April-01	1/19/2017
511	Maryanne Trump GRAT Trust- F/B/O Elizabeth Trump Grau	New York, NY	Trust	Trustee	November-97	1/19/2017
512	Trust U/W/O Fred C. Trump- F/B/O the grandchildren of Fred C. Trump	New York, NY	Trust	Trustee	April-01	1/19/2017
514	The Donald J. Trump grantor Trust - DJT is the Trustee Successor - Trustee is Donald J. Trump, Jr.	New York, NY	Trust	Trustee	November-97	12/31/2016
515	The Donald J. Trump Revocable Trust	New York, NY	Trust	Trustee	April-14	1/19/2017
516	The Police Athletic League, Inc.	New York, NY	Non profit	Member of the Board	July-86	1/19/2017
517	DT Bali Golf Manager LLC	New York, NY	LLC	President	06/23/15	1/19/2017
518	DT Bali Golf Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
519	DT Bali Hotel Manager LLC	New York, NY	LLC	President	06/23/15	1/19/2017
520	DT Bali Hotel Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
521	DT Bali Technical Services Manager LLC	New York, NY	LLC	Member/President	06/23/15	1/19/2017
522	DT Bali Technical Services Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
523	DT Connect Europe Limited	Turnberry, Scotland	Foreign Entity	Director	02/13/15	1/19/2017
524	DT Endeavor I LLC	New York, NY	LLC	President	01/04/16	1/19/2017
525	DT Endeavor I Member Corp	New York, NY	Corporation	Director/Chairman/President	01/04/16	1/19/2017
526	DT Jeddah Technical Services Advisor LLC	New York, NY	LLC	Member/President	08/21/15	10/26/2015
527	DT Jeddah Technical Services Advisor Member Corp	New York, NY	Corporation	Director/Chairman/President	08/21/15	10/22/2015
528	DT Jeddah Technical Services Manager LLC	New York, NY	LLC	Member/President	08/31/15	11/15/2016
529	DT Jeddah Technical Services Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	08/31/15	11/15/2016
530	DT Lido Golf Manager LLC	New York, NY	LLC	President	06/23/15	1/19/2017
531	DT Lido Golf Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
532	DT Lido Hotel Manager LLC	New York, NY	LLC	President	06/23/15	1/19/2017
533	DT Lido Hotel Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
534	DT Lido Technical Services Manager LLC	New York, NY	LLC	Member/President	06/23/15	1/19/2017
535	DT Lido Technical Services Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
536	DT Marks Bali LLC	New York, NY	LLC	Member/President	06/23/15	1/19/2017
537	DT Marks Bali Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
538	DT Marks Lido LLC	New York, NY	LLC	Member/President	06/23/15	1/19/2017
539	DT Marks Lido Member Corp	New York, NY	Corporation	Director/Chairman/President	06/23/15	1/19/2017
540	DT Tower I LLC	New York, NY	LLC	Member/President	01/04/16	1/19/2017
541	DT Tower I Member Corp	New York, NY	Corporation	Director/Chairman/President	01/04/16	1/19/2017
542	DT Tower II LLC	New York, NY	LLC	President	01/04/16	1/19/2017
543	DT Tower II Member Corp	New York, NY	Corporation	Director/Chairman/President	01/04/16	1/19/2017
544	DT Tower Kolkata LLC	New York, NY	LLC	Member/President	11/25/15	1/19/2017
545	DT Tower Kolkata Managing Member Corp	New York, NY	Corporation	Director/Chairman/President	11/25/15	1/19/2017
546	DT Venture I LLC	New York, NY	LLC	President	01/04/16	1/19/2017
547	DT Venture I Member Corp	New York, NY	Corporation	Director/Chairman/President	01/04/16	1/19/2017
548	DT Venture II LLC	New York, NY	LLC	President	01/04/16	1/19/2017
549	DT Venture II Member Corp	New York, NY	Corporation	Director/Chairman/President	01/04/16	1/19/2017
550	DTTM Operations LLC	New York, NY	LLC	Member/President	01/15/16	1/19/2017

Gaps in numerical sequence are due to the removal of previously reported items no longer reportable on this part.

Instructions for Part 1

Note: This is a public form. Do not include account numbers, street addresses, or family member names. See instructions for required information.

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Part 1: Filer's Positions Held Outside United States Government

#	Organization Name	City/State	Organization Type	Position Held	From	To
551	DTTM Operations Managing Member	New York, NY	Corporation	Director/Chairman/President	01/15/16	1/19/2017
552	EID Venture II LLC	New York, NY	LLC	Member/President	01/04/16	1/19/2017
553	EID Venture II Member Corp	New York, NY	Corporation	Director/Chairman/President	01/04/16	1/19/2017
554	Mobile Payroll Construction LLC	New York, NY	LLC	Member/President	06/04/15	1/19/2017
555	Mobile Payroll Construction Manager Corp	New York, NY	Corporation	Director/Chairman/President	06/04/15	1/19/2017
556	THC DC Restaurant Hospitality LLC	New York, NY	LLC	President	08/17/15	1/19/2017
557	THC Jeddah Hotel Advisor LLC	New York, NY	LLC	Member/President	08/21/15	10/26/2015
558	THC Jeddah Hotel Advisor Member Corp	New York, NY	Corporation	Director/Chairman/President	08/21/15	10/22/2015
559	THC Jeddah Hotel Manager LLC	New York, NY	LLC	Member/President	08/31/15	11/15/2016
560	THC Jeddah Hotel Manager Member Corp	New York, NY	Corporation	Director/Chairman/President	08/31/15	11/15/2016
561	C DEVELOPMENT VENTURES LLC	New York, NY	LLC	President/Member	04/06/16	1/19/2017
562	C DEVELOPMENT VENTURES MEMBER CORP	New York, NY	Corporation	President/Director/Chairman	04/06/16	1/19/2017
563	TC MARKS BUENOS AIRES LLC	New York, NY	LLC	President/Member	04/20/16	1/19/2017
564	WMTMF LLC	New York, NY	LLC	President/Secretary/Treasurer/Managing Member	09/24/15	1/19/2017
565	Lamington Farm Club LLC (TRUMP NATIONAL GOLF CLUB - BEDMINSTER) *	Bedminster, NJ	LLC	President	02/11/00	1/19/2017

Gaps in numerical sequence are due to the removal of previously reported items no longer reportable on this part. The entry marked with an * is hereby incorporated into the 2016 and 2015 reports to amend those reports.

OGE Form 278e (March 2014)

Instructions for Part 2

Note: This is a public form. Do not include account numbers, street addresses, or family member names. See instructions for required information.

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
002	40 Wall Street LLC Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	005	Over $50,000,000	rent	Over $5,000,000
004	401 North Wabash Venture LLC Underlying Assets: residential & commercial real estate Location: Chicago, IL See attached schedule	N/A	008	Over $50,000,000	rent condo sales	Over $5,000,000 $90,249
005	809 NORTH CANON LLC Underlying Assets: residential real estate Location: Beverly Hills, CA See attached schedule	N/A	009	$5,000,001 - $25,000,000		None (or less than $201)
007	845 UN Limited Partnership Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	012	$5,000,001 - $25,000,000	rent	$1,000,001 - $5,000,000
008	Caribusiness Investments, S.R.L. Underlying Assets: land Location: Dominican Republic See attached schedule	N/A	025	$1,000,001 - $5,000,000		None (or less than $201)
010	Country Apartments, LLC Value reported reflects bank account holding only. Additional Underlying Asset: none Entity set up to buy & sell residential real estate, New York, NY; See attached schedule	N/A	032	$1,001 - $15,000		None (or less than $201)
011	Country Properties, LLC Underlying Assets: residential real estate Location: Norfolk, VA See attached schedule	N/A	034	$50,001 - $100,000		None (or less than $201)
012	D B Pace Acquisition, LLC Underlying Assets: land, building and ff&e Location: New York, NY See attached schedule	N/A	036	$1,000,001 - $5,000,000		None (or less than $201)

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
013	DJT AEROSPACE LLC Underlying Assets: aircraft Location: New York, NY See attached schedule	N/A	039	$1,000,001 - $5,000,000	rent	None (or less than $201)
014	DJT HOLDINGS LLC Value reported reflects bank account only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Holding company, New York, NY	N/A	042	$1,000,001 - $5,000,000	interest	$15,001 - $50,000
017	DJT OPERATIONS I LLC Underlying Assets: aircraft Location: New York, NY See attached schedule	N/A	046	Over $50,000,000	rent	$1,000,001 - $5,000,000
018	DT CONNECT II LLC Underlying Assets: aircraft Location: Palm Beach, FL See attached schedule	N/A	055	$1,000,001 - $5,000,000		None (or less than $201)
020	DT DUBAI GOLF MANAGER LLC Value reported reflects bank account holding only. Additional Underlying Asset: management deal with DAMAC CRESCENT PROPERTIES LLC - value not readily ascertainable. Management company, Dubai, UAE; See attached schedule.	N/A	059	$1,001 - $15,000	management fees	$12,984
021	DT HOME MARKS INTERNATIONAL LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with RNA RESOURCES GROUP LTD, DORYA INTERNATIONAL LLC, HOMESTUDIO INTERNATIONAL SA, WONU CO LTD - value not readily ascertainable. License holder, New York, NY; See attached schedule.	N/A	063	$1,001 - $15,000	royalties	$100,001 - $1,000,000
024	Excel Venture I LLC Underlying Assets: residential rental property Location: St. Martin, French West Indies See attached schedule	N/A	098	$25,000,001 - $50,000,000	rent	$100,001 - $1,000,000
026	Fifty-Seventh Street Associates LLC Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	100	Over $50,000,000	rent	Over $5,000,000

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
030	TRUMP NATIONAL GOLF CLUB - JUPITER Underlying Assets: golf club Location: Jupiter, FL See attached schedule	N/A	117	Over $50,000,000	golf related revenue	$20,131,872
031	LAMINGTON FAMILY HOLDINGS LLC Underlying Assets: land Location: Bedminster, NJ See attached schedule	N/A	119	$100,001 - $250,000		None (or less than $201)
032	TRUMP NATIONAL GOLF CLUB - BEDMINSTER Underlying Assets: golf club Location: Bedminster, NJ See attached schedule	N/A	120	Over $50,000,000	golf related revenue	$19,752,500
034	MAR-A-LAGO CLUB, L.L.C. Underlying Assets: resort Location: Palm Beach, FL See attached schedule	N/A	126	Over $50,000,000	resort related revenue	$37,251,635
036	PINE HILL DEVELOPMENT LLC Underlying Assets: golf club Location: Pine Hill, NJ See attached schedule	N/A	142	$100,001 - $250,000		None (or less than $201)
037	Seven Springs LLC Underlying Assets: real estate Location: Mt. Kisco, NY See attached schedule	N/A	153	$25,000,001 - $50,000,000	interest	$2,501 - $5,000
038	TRUMP TURNBERRY Underlying Assets: golf courses and resort Location: Turnberry, Scotland See attached schedule	N/A	157	Over $50,000,000	golf related revenue	$14,487,619
039	T International Realty LLC Value reported reflects bank account holding only. Additional Underlying Asset: brokerage company - value not readily ascertainable. Brokerage company, New York, NY; See attached schedule	N/A	160	$250,001 - $500,000	commissions	$3,374,860
040	THC CENTRAL RESERVATIONS LLC Underlying Assets: hotel company Location: New York, NY See attached schedule	N/A	167	$50,001 - $100,000		None (or less than $201)

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
041	THC CHINA DEVELOPMENT LLC Value reported reflects bank account holding only. Additional Underlying Asset: developer - value not readily ascertainable. Developer, New York, NY; See attached schedule	N/A	169	$1,001 - $15,000		None (or less than $201)
042	THC SALES & MARKETING LLC Value reported reflects bank account holding only. Additional Underlying Asset: management company - value not readily ascertainable. Management company, New York, NY; See attached schedule	N/A	184	$100,001 - $250,000		None (or less than $201)
043	The East 61 Street Company, LP Underlying Assets: residential real estate Location: New York, NY See attached schedule	N/A	199	$5,000,001 - $25,000,000		None (or less than $201)
044	THE TRUMP CORPORATION Underlying Assets: management company Location: New York, NY See attached schedule	N/A	200	Over $50,000,000	management and related fees	$18,045,141
045	The Trump-Equitable Fifth Avenue Company Value reported reflects bank account only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Pass-thru entity, New York, NY	N/A	208	$1,001 - $15,000	rent	$100,001 - $1,000,000
046	TRUMP INTERNATIONAL GOLF LINKS - DOONBEG Underlying Assets: golf course and resort Location: Doonbeg, Ireland See attached schedule	N/A	211	$5,000,001 - $25,000,000	golf related revenue	$12,498,172
047	TIHT COMMERCIAL LLC Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	218	$5,000,001 - $25,000,000	rent	$1,000,001 - $5,000,000
048	TIHT HOLDING COMPANY LLC Underlying Assets: hotel condo unit Location: New York, NY See attached schedule	N/A	219	$1,000,001 - $5,000,000	rent	$100,001 - $1,000,000
049	TRUMP NATIONAL GOLF CLUB - CHARLOTTE Underlying Assets: golf club Location: Charlotte, NC See attached schedule	N/A	223	$5,000,001 - $25,000,000	golf related revenue	$15,016,404
050	TRUMP NATIONAL GOLF CLUB - HUDSON VALLEY Underlying Assets: golf club Location: Hopewell Junction, NY See attached schedule	N/A	225	$5,000,001 - $25,000,000	golf related revenue	$5,323,573

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
051	TRUMP NATIONAL GOLF CLUB - PHILADELPHIA Underlying Assets: golf club Location: Pine Hill, NJ See attached schedule	N/A	229	$5,000,001 - $25,000,000	golf related revenue	$5,258,866
052	TRUMP 106 CPS LLC Value reported reflects bank account holding only. Additional Underlying Asset: none Location: New York, NY; See attached schedule	N/A	234	$15,001 - $50,000		None (or less than $201)
055	TRUMP 845 UN MGR CORP Value reported reflects bank account holding only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Pass-thru entity. New York, NY	N/A	237	$1,001 - $15,000		None (or less than $201)
057	TRUMP BOOKS LLC THE MIDAS TOUCH Value reported reflects bank account holding only. Additional Underlying Asset: book deal with Plata Publishing LLC - value not readily ascertainable. Holder of book contract, New York, NY, See attached schedule (Published 2011)	N/A	243	None (or less than $1,001)	royalties	$5,001 - $15,000
059	TRUMP CAROUSEL LLC Value reported reflects bank account holding only. Additional Underlying Asset: operating agreement with NEW YORK CITY DEPARTMENT OF PARKS & RECREATION - value not readily ascertainable. Carousel operator, New York, NY. See attached schedule	N/A	250	$15,001 - $50,000	admissions	$671,728
061	TRUMP CPS LLC Underlying Assets: commercial and residential real estate Location: New York, NY See attached schedule	N/A	269	$25,000,001 - $50,000,000	rent condo sales	$1,000,001 - $5,000,000 $3,170,000
064	TRUMP NATIONAL DORAL Underlying Assets: golf courses & resort Location: Miami, FL See attached schedule	N/A	279	Over $50,000,000	golf resort related revenues	$115,865,590
065	TRUMP FERRY POINT LLC Underlying Assets: operating agreement with NEW YORK CITY DEPARTMENT OF PARKS & RECREATION - golf course Location: New York, NY See attached schedule (Opening Day: April 1, 2015)	N/A	283	$5,000,001 - $25,000,000	golf related revenue	$7,300,157

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Filer's Name

Donald J. Trump

Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
066	TRUMP GOLF ACQUISITIONS LLC Value reported reflects bank account holding only. Additional Underlying Asset: none Entity set up to sign letters of intent for golf related deals, New York, NY; See attached schedule	N/A	287	$1,001 - $15,000	golf related revenue	$17,539
067	TRUMP HOME MARKS LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with DOWNLITE INTERNATIONAL INC, GOURMET HOME PRODUCTS LLC, NORTHPOINT TRADING LLC, SIGN OF TIMES INC, TPS SAS - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	291	None (or less than $1,001)	royalties	$15,001 - $50,000
068	TRUMP ICE LLC Value reported reflects bank account holding only. Additional Underlying Asset: wholesale company - value not readily ascertainable. Water wholesaler, New York, NY; See attached schedule	N/A	294	$1,001 - $15,000	sales	$396,161
069	TRUMP INTERNATIONAL GOLF LINKS - SCOTLAND Underlying Assets: golf course Location: Aberdeen, Scotland See attached schedule	N/A	297	Over $50,000,000	golf related revenue	$3,803,033
070	TRUMP INTERNATIONAL GOLF CLUB - FLORIDA Underlying Assets: golf club Location: West Palm Beach, FL See attached schedule	N/A	299	$25,000,001 - $50,000,000	golf related revenue	$18,411,472
071	TRUMP INTERNATIONAL HOTEL HAWAII LLC Value reported reflects bank account holding only. Additional Underlying Asset: management and license agreements with IRONGATE AZREP BW LLC - value not readily ascertainable. License holder, Waikiki, HI See attached schedule	N/A	300	$1,001 - $15,000	royalties management fees	$100,001 - $1,000,000 $2,538,973
072	TRUMP INTERNATIONAL HOTELS MANAGEMENT LLC Underlying Assets: management company Location: New York, NY See attached schedule	N/A	301	Over $50,000,000	management fees	$2,888,093
073	TRUMP LAS VEGAS DEVELOPMENT LLC Underlying Assets: development deal with TRUMP RUFFIN TOWER I LLC Entity set up to receive development fees, Las Vegas, NV; See attached schedule	N/A	308	$1,000,001 - $5,000,000	development fees	$8,154,142
074	TRUMP LAS VEGAS MEMBER LLC Value reported reflects bank account holding only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Pass-thru entity. Las Vegas, NV	N/A	310	None (or less than $1,001)	sponsor fee	$2,631,300

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type.	Income Amount
076	TRUMP MARKS ASIA LLC Underlying Assets: residential real estate Location: Sterling, VA See attached schedule	N/A	316	$500,001 - $1,000,000		None (or less than $201)
078	TRUMP MARKS ISTANBUL II LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with ORTADOGU OTOMOTIV TICARET AS - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	342	$15,001 - $50,000	royalties	$1,000,001 - $5,000,000
079	TRUMP MARKS LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with ELK LIGHTING INC - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	347	$15,001 - $50,000	royalties	$50,001 - $100,000
080	TRUMP MARKS MATTRESS LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with SERTA - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	350	None (or less than $1,001)	royalties	$100,001 - $1,000,000
081	TRUMP MARKS MENSWEAR LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with PVH CORP, PEERLESS CLOTHING INTERNATIONAL, PARLUX LTD, OXFORD OPTHALMIC, RANDA ACCESSORIES - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	352	None (or less than $1,001)	royalties	$100,001 - $1,000,000
082	TRUMP MARKS NEW ROCHELLE LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with NEW ROC PARCEL 1A LLC - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	359	None (or less than $1,001)	royalties	$5,001 - $15,000
083	TRUMP MARKS PANAMA LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with K GROUP DEVELOPERS INC - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	363	None (or less than $1,001)	royalties	$100,001 - $1,000,000

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
087	TRUMP MARKS WAIKIKI LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with IRONGATE AZREP BW LLC - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	391	None (or less than $1,001)	royalties	$100,001 - $1,000,000
090	TRUMP MIAMI RESORT MANAGEMENT LLC Value reported reflects bank account holding only. Management company - value not readily ascertainable, Miami, FL; See attached schedule	N/A	396	$1,000,001 - $5,000,000		None (or less than $201)
091	TRUMP MODEL MANAGEMENT LLC Value reported reflects bank account holding only. Modeling agency - value not readily ascertainable, New York, NY; See attached schedule	N/A	398	$250,001 - $500,000	commissions	$1,870,632
092	TRUMP NATIONAL GOLF CLUB - COLTS NECK Underlying Assets: golf club Location: Colts Neck, NJ See attached schedule	N/A	399	Over $50,000,000	golf related revenue	$7,708,047
093	TRUMP NATIONAL GOLF CLUB - WESTCHESTER Underlying Assets: golf club Location: Briarcliff Manor, NY See attached schedule	N/A	401	Over $50,000,000	golf related revenue	$9,771,428
094	TRUMP NATIONAL GOLF CLUB - WASHINGTON DC Underlying Assets: golf club Location: Potomac Falls, VA See attached schedule	N/A	403	Over $50,000,000	golf related revenue	$17,508,270
095	TRUMP OLD POST OFFICE LLC Underlying Assets: hotel Location: Washington, DC See attached schedule	N/A	408	Over $50,000,000	hotel related revenue	$19,666,129
097	Miss Universe L.P., LLLP Value reported reflects bank account holding only. Additional Underlying Asset: none See attached schedule	N/A	413	$50,001 - $100,000	beauty pageant related revenue	$10,973,722
098	TRUMP PALACE/PARC LLC Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	414	$1,000,001 - $5,000,000	rent	$100,001 - $1,000,000

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
099	TRUMP PARK AVENUE LLC Underlying Assets: residential & commercial real estate Location: New York, NY See attached schedule	N/A	420	Over $50,000,000	rent condo sales	Over $5,000,000 $29,943,500
100	TRUMP PLAZA LLC Underlying Assets: residential & commercial real estate Location: New York, NY See attached schedule	N/A	424	$25,000,001 - $50,000,000	rent	$1,000,001 - $5,000,000
101	TRUMP PRODUCTIONS LLC Underlying Assets: production company Location: New York, NY See attached schedule	N/A	426	$1,000,001 - $5,000,000	production revenue	$1,103,161
103	Trump Restaurants LLC Underlying Assets: restaurant Location: New York, NY See attached schedule	N/A	430	$1,000,001 - $5,000,000	food & beverage related sales	$4,830,768
104	TRUMP RUFFIN TOWER I LLC Underlying Assets: commercial real estate Location: Las Vegas, NV See attached schedule	N/A	434	Over $50,000,000	condo sales hotel related revenue	$10,683,900 $30,835,137
106	TRUMP SCOTSBOROUGH SQUARE LLC Underlying Assets: residential real estate Location: Scotsborough Square, VA See attached schedule	N/A	438	$500,001 - $1,000,000	rent	$5,001 - $15,000
108	TRUMP TOWER COMMERCIAL LLC Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	444	Over $50,000,000	rent	Over $5,000,000
109	TRUMP TOWER MANAGING MEMBER INC. Value reported reflects bank account holding only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Pass-thru entity. New York, NY	N/A	445	$1,001 - $15,000		None (or less than $201)
110	TRUMP VINEYARD ESTATES LLC Underlying Assets: vineyard Location: Charlottesville, VA See attached schedule	N/A	447	$5,000,001 - $25,000,000	rent	$100,001 - $1,000,000
111	TRUMP VINEYARD ESTATES LOT 3 OWNER LLC Underlying Assets: vineyard Location: Charlottesville, VA See attached schedule	N/A	448	$500,001 - $1,000,000	rent	$100,001 - $1,000,000
112	TRUMP VIRGINIA ACQUISITIONS LLC Underlying Assets: commercial real estate Location: Charlottesville, VA See attached schedule	N/A	450	$5,000,001 - $25,000,000	hotel related revenue	$1,015,752

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
113	TRUMP VIRGINIA LOT 5 LLC Underlying Assets: vineyard Location: Charlottesville, VA See attached schedule	N/A	452	$500,001 - $1,000,000	rent	$50,001 - $100,000
116	TRUMP NATIONAL GOLF CLUB - LOS ANGELES Underlying Assets: golf course and unsold lots Location: Los Angeles, CA See attached schedule	N/A	469	Over $50,000,000	golf related revenue land sales	$14,982,417 $12,035,000
119	Wollman Rink Operations LLC Underlying Assets: operating agreement with NEW YORK CITY DEPARTMENT OF PARKS & RECREATION - ice skating rinks Location: New York, NY See attached schedule	N/A	476	$1,000,001 - $5,000,000	ice skating rink operation	$12,661,523
120	HWA 555 Owners, LLC Underlying Assets: commercial real estate Location: San Francisco, CA See attached schedule	N/A	478	Over $50,000,000	rent	Over $5,000,000
121	1290 AVENUE OF THE AMERICAS, A TENANCY-IN-COMMON Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	479	Over $50,000,000	rent	Over $5,000,000
122	4% limited partnership interest in Starrett City Associates, L.P. (via the entities disclosed on Exhibit A and direct ownership by The Donald J. Trump Revocable Trust) Underlying Assets: residential real estate Location: Brooklyn, NY	N/A	018, 141, 154, 446	$5,000,001 - $25,000,000	rent	Over $5,000,000
123	4% limited partnership interest in Spring Creek Plaza LLC (via the entities disclosed on Exhibit A and direct ownership by The Donald J. Trump Revocable Trust) Underlying Assets: commercial real estate Location: Brooklyn, NY	N/A	018, 141, 154, 446	$500,001 - $1,000,000	rent	$100,001 - $1,000,000
124	Trump Tower Triplex Underlying Assets: residential real estate Location: New York, NY	N/A		Over $50,000,000		None (or less than $201)
125	N/K/A DT VENTURE I LLC Underlying Assets: residential real estate Location: Palm Beach, FL See attached schedule	N/A	533	$5,000,001 - $25,000,000		None (or less than $201)

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Part 2: Filer's Employment Assets and Income

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126	N/K/A DTW VENTURE LLC Underlying Assets: residential real estate Location: Palm Beach, FL See attached schedule	N/A	093	$1,000,001 - $5,000,000	rent	$50,001 - $100,000
127	DT Marks Worli LLC Underlying Assets: license deal Licensee(s): JAWALA REAL ESTATE PRIVATE LTD, LODHA DEVELOPERS PRIVATE LTD Location: New York, NY See attached schedule Value not readily ascertainable	N/A	089		royalties	$100,001 - $1,000,000
130	THC VANCOUVER MANAGEMENT CORP Underlying Assets: management company Location: Vancouver, Canada See attached schedule Value not readily ascertainable	N/A	190		management fees	$21,576
131	THE TRUMP ENTREPRENEUR INITIATIVE LLC Underlying Assets: seminar program Location: New York, NY See attached schedule Value not readily ascertainable	N/A	201		residual income	$38,542
132	TNGC JUPITER MANAGEMENT LLC Underlying Assets: management company Location: Jupiter, FL See attached schedule Value not readily ascertainable	N/A	227		management fees	$468,346
133	TRUMP CHICAGO COMMERCIAL MANAGER LLC Underlying Assets: management company Location: New York, NY See attached schedule Value not readily ascertainable	N/A	254		management fees	$1,292,392
134	TRUMP CHICAGO HOTEL MANAGER LLC Value reported reflects bank account holding only. Additional Underlying Asset: management company - value not readily ascertainable. New York, NY See attached schedule	N/A	256	$15,001 - $50,000	management fees	$2,198,295
135	TRUMP CHICAGO RESIDENTIAL MANAGER LLC Underlying Assets: management company Location: New York, NY See attached schedule Value not readily ascertainable	N/A	260		management fees	$677,122
136	TRUMP MARKS FINE FOODS LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with TWO RIVERS COFFEE - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	333	$1,001 - $15,000	royalties	$5,001 - $15,000

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#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
137	TRUMP MARKS PHILIPPINES LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with CENTURY CITY DEVELOPMENT CORP - value not readily ascertainable. License holder, New York, NY See attached schedule	N/A	367	$1,001 - $15,000	royalties	$1,000,001 - $5,000,000
139	TRUMP MARKS STAMFORD LLC Underlying Assets: license deal Licensee(s): 33 BROAD STREET ASSOCIATES II Location: New York, NY See attached schedule Value not readily ascertainable	N/A	380		royalties	$100,001 - $1,000,000
140	TRUMP MARKS SUNNY ISLES I LLC Underlying Assets: license deal Licensee(s): MICHAEL DEZER & NAOMI DEZERTOV Location: New York, NY See attached schedule Value not readily ascertainable	N/A	381		royalties	$100,001 - $1,000,000
141	TRUMP PANAMA HOTEL MANAGEMENT LLC Value reported reflects bank account holding only. Additional Underlying Asset: management agreement - value not readily ascertainable. New York, NY See attached schedule	N/A	417	$15,001 - $50,000	management fees	$810,795
142	TRUMP TORONTO HOTEL MANAGEMENT CORP Value reported reflects bank account holding only. Additional Underlying Asset: management deal with TALON INTERNATIONAL INC - value not readily ascertainable. Management company, New York, NY; See attached schedule.	N/A	442	$1,001 - $15,000	management fees	$559,904
143	TW VENTURE I LLC transportation services Location: Palm Beach, FL See attached schedule Value not readily ascertainable	N/A	462		operating income	$185,601
144	Trump Management Inc. Value reported reflects bank account holding only. Additional Underlying Asset: management company - value not readily ascertainable Location: Manhasset, NY See attached schedule	N/A	480	$15,001 - $50,000	management fees	$30,000
145	RITZ CARLTON HOTEL AT 112 CENTRAL PARK SOUTH N/K/A DT VENTURE II LLC Value reported reflects bank account holding only. Additional Underlying Asset: management agreement - value not readily ascertainable. Location: New York, NY	N/A	535	$15,001 - $50,000	management fees	$268,125

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
146	Think Like A Champion Publisher: Vanguard Press, a member of Perseus Books LLC Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2009)	N/A			royalties	$15,001 - $50,000
147	The Art Of The Deal Publisher: Random House Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 1987)	N/A			royalties	$100,001 - $1,000,000
148	Time To Get Tough Publisher: Regnery Publishing Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2011)	N/A			royalties	$100,001 - $1,000,000
149	Think Like a Billionaire Publisher: Random House Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2004)	N/A				None (or less than $201)
150	The Art of the Comeback Publisher: Random House Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 1997)	N/A				None (or less than $201)
151	Why We Want You To Be Rich Publisher: Plata Publishing LLC Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2006)	N/A				None (or less than $201)
152	Trump 101: The Way to Success Publisher: John Wiley & Sons, Inc. Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2007)	N/A				None (or less than $201)

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
153	The America We Deserve Publisher: Renaissance Books Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2000)	N/A				None (or less than $201)
154	Never Give Up Publisher: John Wiley & Sons, Inc. Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2008)	N/A				None (or less than $201)
155	The Best Real Estate Advice I Ever Received Publisher: Thomas Nelson, Inc. Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2005)	N/A				None (or less than $201)
156	The Way To The Top Publisher: Bill Adler Books Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2004)	N/A				None (or less than $201)
157	How to Get Rich Publisher: Random House Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2004)	N/A			royalties	$5,001 - $15,000
158	Think Big and Kick Ass Publisher: HarperCollins Publishers Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2007)	N/A				None (or less than $201)
159	Trump: Surviving At The Top Publisher: Random House Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 1990)	N/A				None (or less than $201)
160	SCREEN ACTORS GUILD PENSION Underlying Assets: pension Location: Burbank, CA Value not readily ascertainable	N/A			pension	$84,292

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
169	THC MIAMI RESTAURANT HOSPITALITY LLC Value reported reflects bank account holding only. Restaurant operations at Trump National Doral Location: Miami, FL	N/A	178	$500,001 - $1,000,000	food & beverage related sales	$7,390,861
172	40 WALL STREET COMMERCIAL LLC Value reported reflects bank account holding only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Payroll company. New York, NY	N/A	004	$15,001 - $50,000		None (or less than $201)
173	DT DUBAI II GOLF MANAGER LLC Value reported reflects bank account holding only. Additional Underlying Asset: management deal with FRONTLINE INVESTMENT MANAGEMENT CO LLC (AN AFFILIATE OF DAMAC) - value not readily ascertainable. Management company, Dubai, UAE; See attached schedule.	N/A	061	$15,001 - $50,000	royalties	None (or less than $201)
174	DT TOWER GURGAON LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with IREO PRIVATE LTD - value not readily ascertainable. License holder, Gurgaon, India; See attached schedule.	N/A	091	$1,001 - $15,000	royalties	$100,001 - $1,000,000
176	TAG AIR INC. Value reported reflects bank account holding only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Entity set up to lease 757 from DJT Operations I LLC. New York, NY	N/A	161	$15,001 - $50,000	aircraft related revenue/expense reimbursements	$7,727,674
178	THC IMEA DEVELOPMENT LLC Value reported reflects bank account holding only. Additional Underlying Asset: developer - value not readily ascertainable. Location: New York, NY See attached schedule.	N/A	177	$15,001 - $50,000		None (or less than $201)
181	DT BALI TECHNICAL SERVICES MANAGER LLC Value reported reflects bank account holding only. Additional Underlying Asset: management deal with PT BALI NIRWANA RESORT - value not readily ascertainable. Management company, Bali, Indonesia; See attached schedule.	N/A	497	$1,001 - $15,000	management fees	$190,476
182	DT CONNECT EUROPE LIMITED Underlying Assets: aircraft Location: Turnberry, Scotland See attached schedule	N/A	499	$1,000,001 - $5,000,000	rent	$100,001 - $1,000,000

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
183	DT ENDEAVOR I LLC Underlying Assets: aircraft Location: Palm Beach, FL See attached schedule	N/A	500	$5,000,001 - $25,000,000		None (or less than $201)
184	DT LIDO TECHNICAL SERVICES MANAGER LLC Value reported reflects bank account holding only. Additional Underlying Asset: management deal with PT LIDO NIRWANA PARAHYANGAN - value not readily ascertainable. Management company, Lido, Indonesia; See attached schedule.	N/A	509	None (or less than $1,001)	management fees	$190,476
187	MOBILE PAYROLL CONSTRUCTION LLC Value reported reflects bank account holding only. Additional Underlying Asset: none Payroll company, Bedminster, NJ; See attached schedule	N/A	523	$50,001 - $100,000		None (or less than $201)
188	CRIPPLED AMERICA Publisher: Threshold Editions Underlying Assets: book Location: New York, NY Value not readily ascertainable (Published 2015)	N/A			royalties	$1,000,001 - $5,000,000
189	DTTM OPERATIONS LLC Value reported reflects bank account holding only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Pass-thru entity. New York, NY	N/A	519	$15,001 - $50,000		None (or less than $201)
190	TRUMP LAS VEGAS MANAGING MEMBER LLC Value reported reflects bank account holding only. Entity's other holdings and assets are reported elsewhere; see attached schedule. Pass-thru entity. Las Vegas, NV	N/A	309	None (or less than $1,001)	sponsor fee	$53,700
191	Trump Las Vegas Sales & Marketing, Inc. Value reported reflects bank account holding only. Additional Underlying Assets: sales & marketing deal with TRUMP RUFFIN TOWER I LLC - value not readily ascertainable. Entity set up to receive brokerage commissions, Las Vegas, NV; See attached schedule	N/A	311	$1,001 - $15,000	commissions	$14,078,526
192	DT TOWER KOLKATA LLC Value reported reflects bank account holding only. Additional Underlying Asset: license deal with CONCAST INFRASTRUCTURE PRIVATE LIMITED, TRIBECA CREATORS LLP, REGENT HIRISE PRIVATE LIMITED, RAJ CONSTRUCTION PROJECTS PRIVATE LIMITED, RDB REALTY & INFRASTRUCTURE LIMITED - value not readily ascertainable. License holder, Kolkata, India; See attached schedule.	N/A	517	None (or less than $1,001)	royalties	$100,001 - $1,000,000

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Part 2: Filer's Employment Assets and Income

#	Description	EIF	attached schedule (Part 2 - EXHIBIT A) Reference #	Value	Income Type	Income Amount
193	DT MARKS VANCOUVER LP Value reported reflects bank account holding only. Additional Underlying Asset: license deal with WEST GEORGIA DEVELOPMENT LIMITED PARTNERSHIP AND WEST GEORGIA HOLDINGS INC. - value not readily ascertainable. License holder, Vancouver, Canada; See attached schedule.	N/A	087	None (or less than $1,001)	royalties	Over $5,000,000
194	STORAGE 106 LLC Underlying Assets: commercial real estate Location: New York, NY See attached schedule	N/A	542	$5,000,001 - $25,000,000	rent	$100,001 - $1,000,000

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OGE Form 278e (March 2014)

Instructions for Part 3

Note: This is a public form. Do not include account numbers, street addresses, or family member names. See instructions for required information.

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Part 3: Filer's Employment Agreements and Arrangements

#	Employer or Party	City/State	Status and Terms	Date
1.	Screen Actors Guild - Producers	Burbank, CA	Pension Plan for Motion Picture Actors; payments received on a monthly basis.	July 2011
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				

Instructions for Part 4

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Part 4: Filer's Sources of Compensation Exceeding $5,000 in a Year

#	Source Name	City/State	Brief Description of Duties
1.	N/A		
2.			
3.			
4.			
5.			
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10.			
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Instructions for Part 5

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Part 5: Spouse's Employment Assets and Income

#	Description	EIF	Value	Income Type	Income Amount
1.	Melania LLC Underlying Assets: inactive Location: New York, NY	N/A	None (or less than $1,001)		None (or less than $201)
2.	MELANIA MARKS ACCESSORIES LLC Underlying Assets: licensing agreement Licensee(s): MZ BERGER & COMPANY LLC Location: New York, NY Value not readily ascertainable	N/A			None (or less than $201)
3.	MELANIA MARKS ACCESSORIES MEMBER CORP (pass-thru company for MELANIA MARKS ACCESSORIES LLC) Location: New York, NY Value not readily ascertainable	N/A			None (or less than $201)
4.	721 33H LLC Underlying Assets: residential real estate Location: New York, NY	N/A	$1,000,001 - $5,000,000		None (or less than $201)
5.	721 33H Holdings LLC (pass-thru company for 721 33H LLC) Location: New York, NY Value not readily ascertainable	N/A			None (or less than $201)
6.					
7.					
8.					
9.					
10.					

Information being reported is as of April 15, 2017.

Instructions for Part 6

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Part 6: Other Assets and Income

#	Description	EIF	Value	Income Type	Income Amount
1	BARON REAL ESTATE FUND	Y	None (or less than $1,001)		$100,001 - $1,000,000
2	BARON GROWTH FUND	Y	None (or less than $1,001)		$100,001 - $1,000,000
3	BARON PARTNERS FUND	Y	None (or less than $1,001)		$100,001 - $1,000,000
4	AG DIVERSIFIED INCOME FUND PLUS, LP (f/k/a AG DIVERSIFIED CREDIT STRATEGIES FUND LP) (ANGELO GORDON)	Y	None (or less than $1,001)		$100,001 - $1,000,000
5	MIDOCEAN CREDIT OPPORTUNITY FUND LP (MIDOCEAN CREDIT PARTNERS)	Y	$1,000,001 - $5,000,000		$100,001 - $1,000,000
6	JP MORGAN CHASE - CHECKING AND SAVINGS ACCOUNTS	N/A	$1,000,001 - $5,000,000	Interest	$1,001 - $2,500
7	CAPITAL ONE BANK - CHECKING AND SAVINGS	N/A	$5,000,001 - $25,000,000	Interest	$100,001 - $1,000,000
8	SIGNATURE BANK - CHECKING	N/A	$100,001 - $250,000	Interest	$1,001 - $2,500
9	BANK UNITED, NA - MONEY MARKET	N/A	$100,001 - $250,000	Interest	$1,001 - $2,500
10	FIRST REPUBLIC BANK - CHECKING	N/A	$15,001 - $50,000	Interest	None (or less than $201)
11	INVESTMENT IN GOLD	N/A	$100,001 - $250,000		None (or less than $201)
12	WMTMF LLC (US BANK CASH ACCOUNT)	N/A	$50,001 - $100,000		None (or less than $201)
	BARCLAYS BANK - BROKERAGE ACCOUNT - HOLDINGS				
1	AT&T INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$2,501 - $5,000
2	ASTRAZENECA PLC ADR	N/A	None (or less than $1,001)	Capital Gain	$201 - $1,000
3	CROWN CASTLE INTL CORP	N/A	None (or less than $1,001)	Dividends,Capital Gain	$201 - $1,000
4	GENERAL ELECTRIC COMPANY	N/A	None (or less than $1,001)	Dividends,Capital Gain	$1,001 - $2,500

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Instructions for Part 6

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Part 6: Other Assets and Income

#	Description	EIF	Value	Income Type	Income Amount
5	HALLIBURTON COMPANY	N/A	None (or less than $1,001)	Dividends,Capital Gain	$2,501 - $5,000
6	ISHS EURO FINLS INDX ETF	Y	None (or less than $1,001)		$201 - $1,000
7	KINDER MORGAN INC DE	N/A	None (or less than $1,001)	Dividends,Capital Gain	$2,501 - $5,000
8	KRAFT HEINZ CO	N/A	None (or less than $1,001)	Capital Gain	$201 - $1,000
9	METLIFE INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$2,501 - $5,000
10	PHILIP MORRIS INTL INC	N/A	None (or less than $1,001)	Capital Gain	$201 - $1,000
11	PFIZER INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$201 - $1,000
12	PRUDENTIAL FINL INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$2,501 - $5,000
13	RAYTHEON COMPANY NEW	N/A	None (or less than $1,001)	Dividends,Capital Gain	$2,501 - $5,000
14	SPDR S&P BANK ETF	Y	None (or less than $1,001)		$1,001 - $2,500
15	SWISS RE LTD ADR	N/A	None (or less than $1,001)	Dividends,Capital Gain	$1,001 - $2,500
16	U S BANCORP DE NEW	N/A	None (or less than $1,001)	Dividends,Capital Gain	$1,001 - $2,500
17	VNGRD HGH DIV YLD ETF	Y	None (or less than $1,001)		$201 - $1,000
18	VERIZON COMMS INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$201 - $1,000
	OPPENHEIMER-BROKERAGE ACCOUNT - HOLDINGS				
1	ALTRIA GROUP INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
2	AMGEN INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$50,001 - $100,000

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Instructions for Part 6

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Part 6: Other Assets and Income

#	Description	EIF	Value	Income Type	Income Amount
3	APPLE INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
4	AT&T INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
5	BRISTOL MYERS SQUIBB CO	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
6	GENERAL MLS INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$5,001 - $15,000
7	GILEAD SCIENCES INC	N/A	None (or less than $1,001)	Capital Gain	$100,001 - $1,000,000
8	JPMORGAN CHASE & CO COM	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
9	PHILIP MORRIS INTL INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$5,001 - $15,000
10	REGENERON PHARMACEUTICALS	N/A	None (or less than $1,001)	Capital Gain	$50,001 - $100,000
11	UNITED PARCEL SERVICE INC CL B	N/A	None (or less than $1,001)	Capital Gain	$15,001 - $50,000
12	VERIZON COMMUNICATIONS INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
13	VISA INC	N/A	None (or less than $1,001)	Capital Gain	$100,001 - $1,000,000
14	WASTE MGMT INC DEL	N/A	None (or less than $1,001)	Capital Gain	$15,001 - $50,000
15	WELLS FARGO & CO NEW	N/A	None (or less than $1,001)	Dividends,Capital Gain	$50,001 - $100,000
16	YAHOO INC	N/A	None (or less than $1,001)	Capital Gain	$50,001 - $100,000
17	ADVANTAGE ADVISORS XANTHUS FUND, LLC	Y	None (or less than $1,001)		$100,001 - $1,000,000
	The Fred C. Trump December 16, 1976 Trust- F/B/O Donald J. Trump				
1	JP MORGAN CHASE - SAVINGS ACCOUNT	N/A	$1,000,001 - $5,000,000	Interest	$1,001 - $2,500

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#	Description	EIF	Value	Income Type	Income Amount
	JP MORGAN CLEARING CORP - BROKERAGE ACCOUNT - HOLDINGS				
1	APPLE, INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
2	CATERPILLER INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$15,001 - $50,000
3	MICROSOFT CORP	N/A	None (or less than $1,001)	Dividends,Capital Gain	$100,001 - $1,000,000
4	PEPSICO INC	N/A	None (or less than $1,001)	Dividends,Capital Gain	$15,001 - $50,000
5	ECO TEK 360 INC (f/k/a GLOBAL FASHION TECHNOLOGIES)	N/A	$1,001 - $15,000		None (or less than $201)
6	HALLIBURTON COMPANY	N/A	None (or less than $1,001)	Dividends,Capital Gain	$15,001 - $50,000
7	PHILLIPS 66 COM	N/A	None (or less than $1,001)	Dividends,Capital Gain	$5,001 - $15,000
	The Donald J Trump Revocable Trust				
1	CAPITAL ONE BANK - CHECKING AND SAVINGS (account funded 4/12/2017))	N/A	Over $50,000,000		None (or less than $201)
	DEUTSCHE ASSET & WEALTH MANAGEMENT A/C 1 BROKERAGE ACCT - HOLDINGS				
1	ADVANCE AUTO PTS INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$2,501 - $5,000
2	INVESCO EUROPEAN GROWTH FUND	Y	None (or less than $1,001)		$2,501 - $5,000
3	ALPHABET INC COM CL A	N/A	None (or less than $1,001)	Capital Gain	$15,001 - $50,000
4	ALPHABET INC COM CL C	N/A	None (or less than $1,001)	Capital Gain	$15,001 - $50,000
5	AMAZON COM INC COM	N/A	None (or less than $1,001)	Capital Gain	$15,001 - $50,000

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#	Description	EIF	Value	Income Type	Income Amount
6	AMERICAN WATER WORKS COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
7	AMERIPRISE FINANCIAL INC	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
8	AMETEK INC NEW COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
9	AMGEN INC DTD 5/15/2012	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
10	APPLE INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$50,001 - $100,000
11	APPLE INC DTD 5/6/2014 3	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
12	BOEING CO COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
13	BROADCOM LIMITED COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
14	BURLINGTN NORTH SANTA FE BOND	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
15	CELGENE CORP COM	N/A	None (or less than $1,001)	Capital Gain	$50,001 - $100,000
16	CISCO SYS COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$201 - $1,000
17	CITIGROUP INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
18	COCA COLA CO/THE BOND	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
19	COMCAST CORP NEW CL A	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
20	CONAGRA BRANDS INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$1,001 - $2,500
21	COSTCO WHSL CORP NEW COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$2,501 - $5,000
22	CROWN CASTLE INTERNATION	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
23	DISCOVER FINANCIAL SERVI	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000

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#	Description	EIF	Value	Income Type	Income Amount
24	ECOLAB INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
25	EOG RES INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
26	EXPRESS SCRIPTS HLDG CO	N/A	None (or less than $1,001)	Capital Gain	$15,001 - $50,000
27	EXTRA SPACE STORAGE INC	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
28	GENERAL ELEC CAP CORP BOND	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
29	GENERAL ELEC CO COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$50,001 - $100,000
30	GENERAL MOTORS FINL CO BOND	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
31	GILEAD SCIENCES INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$100,001 - $1,000,000
32	HCA HOLDINGS INC COM	N/A	None (or less than $1,001)	Capital Gain	$2,501 - $5,000
33	HCA INC DTD 8/1/2011 6.5	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
34	HOME DEPOT INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
35	INTUIT INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
36	J P MORGAN CHASE & CO CO	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
37	JARDEN CORP	N/A	None (or less than $1,001)	Capital Gain	$201 - $1,000
38	JOHNSON & JOHNSON COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
39	JPMORGAN CHASE BOND	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
40	KRAFT HEINZ CO/THE COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
41	L BRANDS INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000

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#	Description	EIF	Value	Income Type	Income Amount
42	MCKESSON HBOC INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$50,001 - $100,000
43	MEAD JOHNSON NUTRITION C	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
44	MEDIVATION INC COM	N/A	None (or less than $1,001)	Capital Gain	$15,001 - $50,000
45	MERCK & CO INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
46	MICROSOFT CORP COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$50,001 - $100,000
47	MORGAN STANLEY BOND	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
48	NEWELL BRANDS INC COM	N/A	None (or less than $1,001)	Capital Gain	$201 - $1,000
49	NEXTERA ENERGY INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
50	NIKE INC CL B	N/A	None (or less than $1,001)	Dividends, Capital Gain	$50,001 - $100,000
51	NORFOLK SOUTHERN CORP CO	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
52	PARKER HANNIFIN CORP COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
53	PEPSICO INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
54	PEPSICO INC DTD 2/28/201 BOND	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
55	PFIZER INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$1,001 - $2,500
56	PHILIP MORRIS INTL INC C	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
57	PROCTER & GAMBLE CO COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
58	PRUDENTIAL FINL INC COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
59	ROPER TECHNOLOGIES INC C	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000

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#	Description	EIF	Value	Income Type	Income Amount
60	SALESFORCE COM INC	N/A	None (or less than $1,001)	Capital Gain	$5,001 - $15,000
61	SCHWAB CHARLES COM	N/A	None (or less than $1,001)	Capital Gain	$5,001 - $15,000
62	SEALED AIR CORP COM NEW	N/A	None (or less than $1,001)	Dividends, Capital Gain	$201 - $1,000
63	SMUCKER J M CO COM NEW	N/A	None (or less than $1,001)	Dividends, Capital Gain	$1,001 - $2,500
64	T MOBILE US INC COM	N/A	None (or less than $1,001)	Capital Gain	$1,001 - $2,500
65	THERMO FISHER SCIENTIFIC	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
66	TJX COS INC NEW COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$50,001 - $100,000
67	TWENTY FIRST CENTURY FOX	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
68	US T NTS DTD 8/15/2012 1	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
69	V F CORP COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
70	VISA INC CL A COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$50,001 - $100,000
71	WELLS FARGO & CO NEW COM	N/A	None (or less than $1,001)	Dividends, Capital Gain	$15,001 - $50,000
	DEUTSCHE ASSET & WEALTH MANAGEMENT A/C 2 BOND ACCOUNT - HOLDINGS				
1	AMERICAN EXPRESS CREDIT	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
2	ANHEUSER-BUSCH	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
3	APPLE INC DTD 5/3/2013 0	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
4	AT&T INC DTD 8/18/2011 2	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000

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#	Description	EIF	Value	Income Type	Income Amount
5	BANK OF NOVA SCOTIA	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
6	BERKSHIRE HATHAWAY FIN	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
7	BHP BILLITON FIN USA LTD	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000
8	CATERPILLAR FIN SERV CRP	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
9	CHEVRON CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
10	CITIGROUP INC	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000
11	CONAGRA INC	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
12	CREDIT SUISSE NEW YORK	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
13	DEUTSCHE GOVERNMENT MONEY MARKET	N/A	None (or less than $1,001)	Dividends, Capital Gain	$5,001 - $15,000
14	DEUTSCHE MONEY MARKET SERIES	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
15	ECOLAB INC DTD 12/8/2011	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000
16	EXXON MOBIL CORPORATION	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
17	FHLB DTD 7/25/2016 0.00%	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
18	FMCC DTD 8/7/2012 2.50%	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
19	FNMA DTD 1/29/1999 0.00%	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
20	FORD MTR DTD 12/18/2006	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000
21	GOLDMAN SACHS GROUP INC	N/A	None (or less than $1,001)	Interest, Capital Gain	$15,001 - $50,000
22	IBM CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000

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#	Description	EIF	Value	Income Type	Income Amount
23	INTL BK RECON & DEVELOP	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
24	J P MORGAN CHASE & CO	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
25	JOHN DEERE CAPITAL CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000
26	MCDONALD'S CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
27	MCKESSON CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
28	MORGAN STANLEY	N/A	None (or less than $1,001)	Interest, Capital Gain	$15,001 - $50,000
29	NBCUNIVERSAL MEDIA LLC	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
30	NEW YORK CITY NY	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
31	ORACLE CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
32	PEPSICO INC	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
33	PNC BANK NA	N/A	None (or less than $1,001)	Interest, Capital Gain	$1,001 - $2,500
34	ROYAL BANK OF CANADA	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000
35	SHELL INTERNATIONAL FIN	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
36	THERMO FISHER SCIENTIFIC	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
37	TORONTO DOMINION BANK	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
38	TOTAL CAPITAL INTL SA	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000
39	TOYOTA MOTOR CREDIT CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
40	UNITED STATES TREAS NTS	N/A	None (or less than $1,001)	Interest, Capital Gain	$5,001 - $15,000

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#	Description	EIF	Value	Income Type	Income Amount
41	VERIZON COMMUNICATIONS	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
42	WAL MART STORES INC	N/A	None (or less than $1,001)	Interest, Capital Gain	$201 - $1,000
43	WELLS FARGO & COMPANY	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
44	WESTPAC BANKING CORP	N/A	None (or less than $1,001)	Interest, Capital Gain	$2,501 - $5,000
	Family Trust 1*			Dividends, Capital Gains	$5,001 - $15,000
1	ISHARES MSCI EAFE INDEX FUND	Y	$15,001 - $50,000		
2	DODGE & COX INCOME FD	Y	$1,001 - $15,000		
3	ISHARES INC MSCI JAPAN NEW	Y	$1,001 - $15,000		
4	DODGE & COX INTL STOCK FD	Y	$1,001 - $15,000		
5	AMG MANAGERS PICTET INTERNATIONAL FUND CLASS I	Y	$1,001 - $15,000		
6	JOHN HAN II-ABS RET CURR-I	Y	$1,001 - $15,000		
7	BLACKROCK HIGH YIELD PT-BLAC	Y	$1,001 - $15,000		
8	CHILTON STRATEGIC EUROPEAN EQUITIES FD	Y	$1,001 - $15,000		
9	AQR MANAGED FUTURES STR-R6	Y	$1,001 - $15,000		
10	PRIMECAP ODYSSEY STOCK FD	Y	$15,001 - $50,000		
11	U.S. BANK CASH ACCOUNT	N/A	$1,001 - $15,000		
12	ISHARES RUSSELL MIDCAP INDEX FUND	Y	$15,001 - $50,000		

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#	Description	EIF	Value	Income Type	Income Amount
13	SPDR S&P 500 ETF TRUST	Y	$15,001 - $50,000		
14	JPM GLBL RES ENH INDEX FD - CL I FUND 3457	Y	$15,001 - $50,000		
15	FMI LARGE CAP FUND-INST	Y	$1,001 - $15,000		
16	JPM US LARGE CP CORE PLUS FD - CL I FUND 1002	Y	$15,001 - $50,000		
17	NEUBERGER BER MU/C OPP-INS	Y	$15,001 - $50,000		
18	MFS EMERGING MKTS DEBT FD-I	Y	$1,001 - $15,000		
19	PIMCO UNCONSTRAINED BOND-INS	Y	$1,001 - $15,000		
20	ARTISAN INTL VALUE FD-INS	Y	$1,001 - $15,000		
21	JPM MID CAP VALUE FD - L FUND 758	Y	$1,001 - $15,000		
22	JPM SHRT-INT MUNI BND FD - CL L FUND 3602 1.48%	Y	$15,001 - $50,000		
23	AQR LONG-SHORT EQUITY-R6	Y	$1,001 - $15,000		
24	PRUDENTIAL TOTAL RETRN BND-Z	Y	None (or less than $1,001)		
25	VANGUARD INTM TRM INV G-ADM	Y	None (or less than $1,001)		
	Family Trust 2*			Dividends, Capital Gains	$5,001 - $15,000
1	ISHARES INC MSCI JAPAN NEW	Y	$1,001 - $15,000		
2	JPM US LARGE CP CORE PLUS FD - CL I FUND 1002	Y	$15,001 - $50,000		
3	CHILTON STRATEGIC EUROPEAN EQUITIES FD	Y	$1,001 - $15,000		

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Part 6: Other Assets and Income

#	Description	EIF	Value	Income Type	Income Amount
4	JPM SHRT-INT MUNI BND FD - CL L FUND 3602 1.48%	Y	$15,001 - $50,000		
5	DODGE & COX INCOME FD	Y	$1,001 - $15,000		
6	ISHARES RUSSELL MIDCAP INDEX FUND	Y	$15,001 - $50,000		
7	ARTISAN INTL VALUE FD-INS	Y	$15,001 - $50,000		
8	ISHARES MSCI EAFE INDEX FUND	Y	$15,001 - $50,000		
9	U.S. BANK CASH ACCOUNT	N/A	$15,001 - $50,000		
10	AMG MANAGERS PICTET INTERNATIONAL FUND CLASS I	Y	$1,001 - $15,000		
11	PRIMECAP ODYSSEY STOCK FD	Y	$15,001 - $50,000		
12	JOHN HAN II-ABS RET CURR-I	Y	$1,001 - $15,000		
13	JPM GLBL RES ENH INDEX FD - CL I FUND 3457	Y	$15,001 - $50,000		
14	EQUINOX FDS TR IPM SYSTMATC I	Y	$1,001 - $15,000		
15	PIMCO UNCONSTRAINED BOND-INS	Y	$1,001 - $15,000		
16	BLACKROCK HIGH YIELD PT-BLAC	Y	$15,001 - $50,000		
17	FMI LARGE CAP FUND-INST	Y	$1,001 - $15,000		
18	MFS EMERGING MKTS DEBT FD-I	Y	$1,001 - $15,000		
19	JPM MID CAP VALUE FD - L FUND 758	Y	$15,001 - $50,000		
20	SPDR S&P 500 ETF TRUST	Y	$15,001 - $50,000		
21	AQR LONG-SHORT EQUITY-R6	Y	$1,001 - $15,000		

* J.P. Morgan is the sole Trustee. Donald J. Trump retains an income interest only in the Family Trusts and has no investment decision authority.
Information being reported is as of April 15, 2017.

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Part 6: Other Assets and Income

#	Description	EIF	Value	Income Type	Income Amount
22	DODGE & COX INTL STOCK FD	Y	$1,001 - $15,000		
23	NEUBERGER BER MU/C OPP-INS	Y	$15,001 - $50,000		
24	PRUDENTIAL TOTAL RETRN BND-Z	Y	None (or less than $1,001)		
25	VANGUARD INTM TRM INV G-ADM	Y	None (or less than $1,001)		
	Family Trust 3*			Dividends, Capital Gains	$15,001 - $50,000
1	ISHARES RUSSELL MIDCAP INDEX FUND	Y	$15,001 - $50,000		
2	PRIMECAP ODYSSEY STOCK FD	Y	$15,001 - $50,000		
3	BLACKROCK HIGH YIELD PT-BLAC	Y	$15,001 - $50,000		
4	JPM SHRT-INT MUNI BND FD - CL L FUND 3602 1.48%	Y	$15,001 - $50,000		
5	ISHARES MSCI EAFE INDEX FUND	Y	$15,001 - $50,000		
6	JPM US LARGE CP CORE PLUS FD - CL I FUND 1002	Y	$15,001 - $50,000		
7	MFS EMERGING MKTS DEBT FD-I	Y	$1,001 - $15,000		
8	AQR MANAGED FUTURES STR-R6	Y	$1,001 - $15,000		
9	DODGE & COX INTL STOCK FD	Y	$15,001 - $50,000		
10	SPDR S&P 500 ETF TRUST	Y	$50,001 - $100,000		
11	DODGE & COX INCOME FD	Y	$1,001 - $15,000		
12	AMG MANAGERS PICTET INTERNATIONAL FUND CLASS I	Y	$1,001 - $15,000		

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Part 6: Other Assets and Income

#	Description	EIF	Value	Income Type	Income Amount
13	ISHARES INC MSCI JAPAN NEW	Y	$1,001 - $15,000		
14	NEUBERGER BER MU/C OPP-INS	Y	$15,001 - $50,000		
15	ARTISAN INTL VALUE FD-INS	Y	$15,001 - $50,000		
16	PIMCO UNCONSTRAINED BOND-INS	Y	$1,001 - $15,000		
17	JOHN HAN II-ABS RET CURR-I	Y	$1,001 - $15,000		
18	AQR LONG-SHORT EQUITY-R6	Y	$1,001 - $15,000		
19	JPM MID CAP VALUE FD - L FUND 758	Y	$15,001 - $50,000		
20	JPM GLBL RES ENH INDEX FD - CL I FUND 3457	Y	$50,001 - $100,000		
21	CHILTON STRATEGIC EUROPEAN EQUITIES FD	Y	$1,001 - $15,000		
22	U.S. BANK CASH ACCOUNT	N/A	$15,001 - $50,000		
23	PRUDENTIAL TOTAL RETRN BND-Z	Y	None (or less than $1,001)		
24	VANGUARD INTM TRM INV G-ADM	Y	None (or less than $1,001)		
25	FMI LARGE CAP FUND	Y	None (or less than $1,001)		

* J.P. Morgan is the sole Trustee. Donald J. Trump retains an income interest only in the Family Trusts and has no investment decision authority.
Information being reported is as of April 15, 2017.

Instructions for Part 7

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Part 7: Transactions

#	Description	Type	Date	Amount
1.	N/A			
2.				
3.				
4.				
5.				
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Instructions for Part 8

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Part 8: Liabilities

#	Creditor Name	Type	Amount	Year Incurred	Rate	Term
1.	Ladder Capital Finance LLC	Trump Tower Commercial LLC - mortgage	Over $50,000,000	2012	4.200%	Matures in 2022
2.	Ladder Capital Finance I LLC	40 Wall Street LLC - loan	Over $50,000,000	2015	3.665%	Matures in 2025
3.	Deutsche Bank Trust Company Americas	Trump National Doral - mortgage	Over $50,000,000	2012	LIBOR + 1.75% or Prime minus .75%	Matures in 2023
4.	Deutsche Bank Trust Company Americas	Trump National Doral - mortgage	$5,000,001 - $25,000,000	2012	LIBOR + 1.75% or Prime minus .75%	Matures in 2023
5.	The Bank of New York Mellon Trust Company N.A., as trustee	Fifty-Seventh Street Associates LLC - issuer of secured lease bonds	$500,001 - $1,000,000	1996	7.125%	Matures in 2017
6.	Investors Savings Bank	Trump Park Avenue LLC - mortgage	$5,000,001 - $25,000,000	2010	3.250%	Matures in 2020
7.	Ladder Capital Finance LLC	Trump Plaza LLC - mortgage	$5,000,001 - $25,000,000	2014	3.850%	Matures in 2024
8.	Amboy Bank	Trump National Golf Club Colts Neck LLC - mortgage	$5,000,001 - $25,000,000	2008	5.250%	Matures in 2028
9.	Chevy Chase Trust Holdings, Inc. as successor in interest to Bondy Way Development	Trump National Golf Club Washington DC LLC - mortgage	$5,000,001 - $25,000,000	2009	5.500%	Matures in 2029
10.	Royal Bank America	Seven Springs - mortgage	$5,000,001 - $25,000,000	2000	4.000%	Matures in 2019
11.a.	UBS Real Estate Investments Inc.*	TIHT Commercial LLC - mortgage	$5,000,001 - $25,000,000	2006	6.180%	Matures in 2016
11.b.	Ladder Capital Finance LLC*	TIHT Commercial LLC - mortgage	$5,000,001 - $25,000,000	2016	4.050%	Matures in 2026
12.	Merrill Lynch Credit Corporation	1094 S Ocean Blvd - mortgage	$100,001 - $250,000	1994	Six month LIBOR + 1.50%	Matures in 2019
13.	Merrill Lynch Credit Corporation	124 Woodbridge Road - mortgage	$50,001 - $100,000	1993	Six month LIBOR + 1.75%	Matures in 2019
14.	Chicago Unit Acquisition LLC	TIHT Chicago - springing loan	Over $50,000,000	2012	Prime + 5%	Springing loan
15.	Deutsche Bank Trust Company Americas	TIHT Chicago - term loan	$25,000,001 - $50,000,000	2012	LIBOR + 2.00% or Prime minus .50%	Matures in 2024
16.	Deutsche Bank Trust Company Americas	Trump Old Post Office - loan	Over $50,000,000	2015	LIBOR or Prime + 2.00%	Matures in 2024
17.						

(*) UBS Real Estate Investments Inc. mortgage (11.a.) was refinanced by Ladder Capital Finance LLC (11.b.) after the close of the reporting period in 2016.

NOTE: Reporting date for liabilities is May 31, 2017 per 5 CFR 2634.308(b)(3).

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Instructions for Part 9

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Part 9: Gifts and Travel Reimbursements

#	Source Name	City/State	Brief Description	Value
1.	N/A			
2.				
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Part 2 disclosed entities with assets over $1,000 or which produced income of over $200. This Schedule (EXHIBIT A) discloses the ownership structure of the entities on Part 2, as well as additional entities that are not disclosed on Part 2. For each of the entities below that are not disclosed on Part 2, the numerical or text label indicates which reason for non-disclosure applies. The numerical labels are as follows: *(1) have no independent value or income and are part of the entity structures listed in Part 2; (2) have no independent value or income and provide back office support functions to other entities; (3) are dormant/inactive; (4) have no independent value or income and exist to hold license deals that are prospective, inactive, or otherwise do not currently have valuable assets or create income; or (5) have no independent value or income, not inactive nor dormant, not part of an entity structure or license deal. This Schedule is being provided to ensure a complete picture of the assets and holdings of the filer. Gaps in numerical sequence are due to the removal of previously reported items no longer reportable on this exhibit. All of the interests listed below in this exhibit, which were formerly held by Donald J. Trump, directly or indirectly, are now held by The Donald J. Trump Revocable Trust.

1 ***4 SHADOW TREE LANE LLC *(5)***

Owned by :	% Ownership	Name	Role
	1	4 SHADOW TREE LANE MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

2 ***4 SHADOW TREE LANE MEMBER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	4 SHADOW TREE LANE LLC	1.00%	Managing Member

3 ***40 Wall Development Associates, LLC *(1)***

Owned by :	% Ownership	Name	Role
	0.1	Parc Consulting, Inc.	Member
	99.9	The Donald J. Trump Revocable Trust	Member

Has ownership interest in :	Entity Name	Ownership	Title
	40 Wall Street LLC	99.90%	Member
	40 WALL STREET COMMERCIAL LLC	100.00%	Member
	40 Wall Street Member Corp.	100.00%	Shareholder

4 ***40 WALL STREET COMMERCIAL LLC***

Owned by :	% Ownership	Name	Role
	100	40 Wall Development Associates, LLC	Member

5 ***40 Wall Street LLC***

Owned by :	% Ownership	Name	Role
	0.1	40 Wall Street Member Corp.	Managing Member
	99.9	40 Wall Development Associates, LLC	Member

6 ***40 Wall Street Member Corp. *(1)***

Owned by :	% Ownership	Name	Role
	100	40 Wall Development Associates, LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	40 Wall Street LLC	0.10%	Managing Member

7 ***401 MEZZ VENTURE LLC *(1)***

Owned by :	% Ownership	Name	Role
	1	TRUMP CHICAGO MANAGING MEMBER LLC	Managing Member
	49	TRUMP CHICAGO MEMBER LLC	Member
	50	TIHT CHICAGO MEMBER ACQUISITION LLC	Member

Has ownership interest in :	Entity Name	Ownership	Title
	401 North Wabash Venture LLC	100.00%	Member
	TRUMP CHICAGO RETAIL LLC	100.00%	Member

8 ***401 North Wabash Venture LLC***

Owned by :	% Ownership	Name	Role
	100	401 MEZZ VENTURE LLC	Member

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP COMMERCIAL CHICAGO LLC	100.00%	Member

	TRUMP PAYROLL CHICAGO LLC	100.00%	Managing Member

9 ***809 NORTH CANON LLC***

	% Ownership	Name	Role
Owned by :	1	809 NORTH CANON MEMBER CORPORATION	Managing Member
	99	DJT HOLDINGS LLC	Member

10 ***809 NORTH CANON MEMBER CORPORATION *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	809 NORTH CANON LLC	1.00%	Managing Member

11 ***81 Pine Note Holder Inc. *(3)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Shareholder

12 ***845 UN Limited Partnership***

	% Ownership	Name	Role
Owned by :	60	Trump 845 LP LLC	Partner
	40	Trump 845 UN GP LLC	Partner

13 ***Ace Entertainment Holdings Inc. *(3)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Shareholder

14 ***All County Building Supply & Maintenance Corp. *(3)***

	% Ownership	Name	Role
Owned by :	25	DJT Holdings LLC	Shareholder
	75	Trump Family Members	Shareholder

15 ***AVIATION PAYROLL COMPANY *(2)***

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

16 ***B. Plaza Realty Corp. *(3)--DISSOLVED 11/10/16***

	% Ownership	Name	Role
Owned by :	100	Trump, Donald J.	Shareholder

17 ***Beach Haven Apartments #3 LLC *(3)***

	% Ownership	Name	Role
Owned by :	25	The Donald J. Trump Revocable Trust	Member
	75	Trump Family Members	Member

18 ***Beach Haven Apt #1, Inc. *(1)***

	% Ownership	Name	Role
Owned by :	25	The Donald J. Trump Revocable Trust	Shareholder
	75	Trump Family Members	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	Starrett City Associates, L.P.	0.86%	Partner
	Spring Creek Plaza LLC	0.86%	Member

20 ***Beach Haven Shopping Center LLC *(3)***

	% Ownership	Name	Role
Owned by :	25	DJT Holdings LLC	Member
	75	Trump Family Members	Member

21 ***Bedford Hills Corp. *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	Seven Springs LLC	0.10%	Member

22 ***TRUMP BRIARCLIFF MANOR DEVELOPMENT LLC *(2)***

	% Ownership	Name	Role
Owned by :	0.1	BRIARCLIFF PROPERTIES, INC.	Member
	99.9	DJT HOLDINGS LLC	Member

23 Briar Hall Operations LLC *(3)

Owned by :	% Ownership	Name		Role
	0.1	Development Member Inc.		Member
	99.9	DJT Holdings LLC		Member

24 BRIARCLIFF PROPERTIES, INC. *(1)

Owned by :	% Ownership	Name		Role
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	BRIAR HALL DEVELOPMENT LLC (N/K/A TRUMP BRIARCLIFF MANOR DEVELOPMENT LLC)	0.10%	Member	

25 Caribusiness Investments, S.R.L.

Owned by :	% Ownership	Name		Role
	1	THE CARIBUSINESS RE CORP		Member
	99	CARIBUSINESS MRE LLC		Member

26 CARIBUSINESS MRE LLC *(1)

Owned by :	% Ownership	Name		Role
	1	THE CARIBUSINESS RE CORP		Managing Member
	99	DJT Holdings LLC		Member
Has ownership interest in :	Entity Name	Ownership	Title	
	Caribusiness Investments, S.R.L.	99.00%	Member	

27 Chelsea Hall LLC *(3)

Owned by :	% Ownership	Name		Role
	25	DJT Holdings LLC		Member
	75	Trump Family Members		Member

28 CHICAGO UNIT ACQUISITION LLC *(5)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Member

29 CHINA TRADEMARK LLC *(3)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Member

30 Clyde Hall, Inc. *(3)

Owned by :	% Ownership	Name		Role
	25	DJT Holdings LLC		Shareholder
	75	Trump Family Members		Shareholder

31 Coronet Hall, Inc. *(3)

Owned by :	% Ownership	Name		Role
	25	DJT Holdings LLC		Shareholder
	75	Trump Family Members		Shareholder

32 Country Apartments, LLC

Owned by :	% Ownership	Name		Role
	25	DJT Holdings LLC		Member
	75	Trump Family Members		Member

33 Country Investors LLC *(3)

Owned by :	% Ownership	Name		Role
	25	DJT Holdings LLC		Member
	75	Trump Family Members		Member

34 Country Properties, LLC

Owned by :	% Ownership	Name		Role
	25	DJT Holdings LLC		Member
	75	Trump Family Members		Member

35 D B PACE ACQUISITION MEMBER CORP *(1)

Owned by :	% Ownership	Name		Role
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	

	D B Pace Acquisition, LLC	1.00%	Managing Member	

36 *D B Pace Acquisition, LLC*

Owned by :	% Ownership	Name		Role
	1	D B PACE ACQUISITION MEMBER CORP		Managing Member
	99	DJT Holdings LLC		Member

37 *Development Member Inc. *(3)*

Owned by :	% Ownership	Name		Role
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	Briar Hall Operations LLC	0.10%	Member	

38 *DJ Aerospace (Bermuda) Limited *(3)*

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Shareholder

39 *DJT AEROSPACE LLC*

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Member

40 *DJT ENTREPRENEUR MANAGING MEMBER LLC *(1)*

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Member
Has ownership interest in :	Entity Name	Ownership	Title	
	THE TRUMP ENTREPRENEUR INITIATIVE LLC (NY DOMESTIC)	0.10%	Managing Member	

41 *DJT ENTREPRENEUR MEMBER LLC *(1)*

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Member
Has ownership interest in :	Entity Name	Ownership	Title	
	THE TRUMP ENTREPRENEUR INITIATIVE LLC (NY DOMESTIC)	91.90%	Member	

42 *DJT HOLDINGS LLC*

Assumed Names :	D/B/A	Jurisdiction	Expiration Date	Filing Date
	DJT 3 HOLDINGS LLC	Florida		
Owned by :	% Ownership	Name		Role
	1	DJT HOLDINGS MANAGING MEMBER LLC		Managing Member
	99	The Donald J. Trump Revocable Trust		Member
Has ownership interest in :	various entities as indicated elsewhere in this schedule			

43 *DJT HOLDINGS MANAGING MEMBER LLC *(1)*

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Member
Has ownership interest in :	various entities as indicated elsewhere in this schedule			

44 *DJT LAND HOLDINGS MEMBER CORP *(3)*

Owned by :	% Ownership	Name		Role
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder

45 *DJT OPERATIONS CX LLC *(5)*

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Member

46 *DJT OPERATIONS I LLC*

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Member

47 *DJT OPERATIONS II LLC *(1)*

Owned by :	% Ownership	Name		Role

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	100	The Donald J. Trump Revocable Trust	Member

Has ownership interest in :	Entity Name	Ownership	Title
	TAG AIR INC.	100.00%	Shareholder

48 **Donald J Trump Enterprises LLC *(3)**

Owned by :	% Ownership	Name	Role
	100	Trump Family Members	Member

49 **Donald J. Trump Enterprises II LLC *(3)**

Owned by :	% Ownership	Name	Role
	100	Trump Family Members	Member

50 **Donald J. Trump Enterprises III LLC *(3)**

Owned by :	% Ownership	Name	Role
	100	Trump Family Members	Member

51 **DSN LICENSING LLC *(3)--DISSOLVED 11/9/16**

Owned by :	% Ownership	Name	Role
	1	Trump, Donald J.	Member
	99	DSN LICENSING MEMBER CORP	Managing Member

52 **DSN LICENSING MEMBER CORP *(3)--DISSOLVED 11/9/16**

Owned by :	% Ownership	Name	Role
	100	Trump, Donald J.	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DSN LICENSING LLC	99.00%	Managing Member

53 **DT APP WARRANT HOLDING LLC *(3)**

Owned by :	% Ownership	Name	Role
	1	DT APP WARRANT HOLDING MANAGING MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

54 **DT APP WARRANT HOLDING MANAGING MEMBER CORP *(3)**

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT APP WARRANT HOLDING LLC	1.00%	Managing Member

55 **DT CONNECT II LLC**

Owned by :	% Ownership	Name	Role
	1	DT CONNECT II MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

56 **DT CONNECT II MEMBER CORP *(1)**

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT CONNECT II LLC	1.00%	Managing Member

59 **DT DUBAI GOLF MANAGER LLC**

Owned by :	% Ownership	Name	Role
	1	DT DUBAI GOLF MANAGER MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

60 **DT DUBAI GOLF MANAGER MEMBER CORP *(1)**

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT DUBAI GOLF MANAGER LLC	1.00%	Managing Member

61 **DT DUBAI II GOLF MANAGER LLC**

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Owned by :	% Ownership	Name	Role
	1	DT DUBAI II GOLF MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

62 DT DUBAI II GOLF MANAGER MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT DUBAI II GOLF MANAGER LLC	1.00%	Managing Member

63 DT HOME MARKS INTERNATIONAL LLC

Owned by :	% Ownership	Name	Role
	1	DT HOME MARKS INTERNATIONAL MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

64 DT HOME MARKS INTERNATIONAL MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT HOME MARKS INTERNATIONAL LLC	1.00%	Managing Member

65 DT INDIA VENTURE LLC *(3)

Owned by :	% Ownership	Name	Role
	1	DT INDIA VENTURE MANAGING MEMBER CORP	Member
	99	DTTM OPERATIONS LLC	Member

66 DT INDIA VENTURE MANAGING MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT INDIA VENTURE LLC	1.00%	Member

67 DT MARKS BAKU LLC *(3)

Owned by :	% Ownership	Name	Role
	1	DT MARKS BAKU MANAGING MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

68 DT MARKS BAKU MANAGING MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT MARKS BAKU LLC	1.00%	Managing Member

71 DT MARKS DUBAI LLC *(4)

Owned by :	% Ownership	Name	Role
	1	DT MARKS DUBAI MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

72 DT MARKS DUBAI MEMBER CORP *(4)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT MARKS DUBAI LLC	1.00%	Managing Member

73 DT MARKS GURGAON LLC *(4)

Owned by :	% Ownership	Name	Role
	1	DT MARKS GURGAON MANAGING MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

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74 ***DT MARKS GURGAON MANAGING MEMBER CORP *(4)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	DT MARKS GURGAON LLC	1.00%	Managing Member	

75 ***DT MARKS JERSEY CITY LLC *(4)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DTTM OPERATIONS LLC	Member

76 ***DT MARKS JUPITER LLC *(4)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DTTM OPERATIONS LLC	Managing Member

77 ***DT MARKS PRODUCTS INTERNATIONAL LLC *(4)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	DT MARKS PRODUCTS INTERNATIONAL MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

78 ***DT MARKS PRODUCTS INTERNATIONAL MEMBER CORP *(4)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	DT MARKS PRODUCTS INTERNATIONAL LLC	1.00%	Managing Member	

79 ***DT MARKS PUNE II LLC *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	DT MARKS PUNE II MANAGING MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

80 ***DT MARKS PUNE II MANAGING MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	DT MARKS PUNE II LLC	1.00%	Managing Member	

81 ***DT MARKS PUNE LLC *(4)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	DT MARKS PUNE MANAGING MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

82 ***DT MARKS PUNE MANAGING MEMBER CORP *(4)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	DT MARKS PUNE LLC	1.00%	Managing Member	

83 ***DT MARKS QATAR LLC *(3)--DISSOLVED 1/26/17***

Owned by :	**% Ownership**	**Name**	**Role**
	1	DT MARKS QATAR MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

84 ***DT MARKS QATAR MEMBER CORP *(3)--DISSOLVED 1/26/17***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	

	DT MARKS QATAR LLC	1.00%	Managing Member	

85 DT MARKS RIO LLC *(3)

Owned by :	% Ownership	Name		Role
	1	DT MARKS RIO MEMBER CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

86 DT MARKS RIO MEMBER CORP *(3)

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	DT MARKS RIO LLC	1.00%	Managing Member	

87 DT MARKS VANCOUVER LP

Owned by :	% Ownership	Name	Title	
	1	DT MARKS VANCOUVER MEMBER CORP	General Partner	
	99	The Donald J. Trump Revocable Trust	Limited Partner	

88 DT MARKS VANCOUVER MEMBER CORP *(1)

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	DT MARKS VANCOUVER LP	1.000000 units (100.00 %)	General Partner	

89 DT Marks Worli LLC

Owned by :	% Ownership	Name		Role
	1	DT Marks Worli Member Corp		Managing Member
	99	DTTM OPERATIONS LLC		Member

90 DT Marks Worli Member Corp *(1)

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	DT Marks Worli LLC	1.00%	Managing Member	

91 DT TOWER GURGAON LLC

Owned by :	% Ownership	Name		Role
	1	DT TOWER GURGAON MANAGING MEMBER CORP		Managing Member
	99	TTTT Venture LLC		Member

92 DT TOWER GURGAON MANAGING MEMBER CORP *(1)

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	DT TOWER GURGAON LLC	1.00%	Managing Member	

93 DTW VENTURE LLC

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Member

94 DTW VENTURE MANAGING MEMBER CORP. *(3)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings Managing Member LLC		Shareholder

95 EID Venture I Corporation *(3)

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder

96 EID Venture I LLC *(3)

Owned by :	% Ownership	Name		Role

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	100	DTTM OPERATIONS LLC	Member

97 Excel Venture I Corporation *(1)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	Excel Venture I LLC	1.00%	Managing Member

98 Excel Venture I LLC

	% Ownership	Name	Role
Owned by :	1	Excel Venture I Corporation	Managing Member
	99	DJT HOLDINGS LLC	Member

99 Fifty-Seven Management Corp. *(1)

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	Fifty-Seventh Street Associates LLC	1.00%	Managing Member

100 Fifty-Seventh Street Associates LLC

	% Ownership	Name	Role
Owned by :	1	Fifty-Seven Management Corp.	Managing Member
	99	The Trump-Equitable Fifth Avenue Company	Member

101 FIRST MEMBER INC *(1)

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP PALACE/PARC LLC	0.10%	Managing Member

102 FLIGHTS INC *(5)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

103 FLORIDA PROPERTIES MANAGEMENT LC *(2)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

104 Fountainbleu Apartments LLC *(3)

	% Ownership	Name	Role
Owned by :	25	DJT Holdings LLC	Member
	75	Trump Family Members	Member

105 Golf Productions LLC *(5)

	% Ownership	Name	Role
Owned by :	1	Golf Productions Member Corp	Managing Member
	99	DJT Holdings LLC	Member

106 Golf Productions Member Corp *(1)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	Golf Productions LLC	1.00%	Managing Member

107 Golf Recreation Scotland Limited *(1)

	% Ownership	Name	Role
Owned by :	100	TURNBERRY SCOTLAND LLC	Sole Member

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP TURNBERRY	100.00%	Shareholder

108 HELICOPTER AIR SERVICES INC *(3)

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Owned by :	% Ownership	Name	Role
	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

110 ***Hudson Waterfront Associates I, LP *(1)***

Owned by :	% Ownership	Name	Role
	1	HUDSON WATERFRONT I CORPORATION	Partner
	69	HUDSON WESTSIDE ASSOCIATES I, L.P.	Partner
	30	The Donald J. Trump Revocable Trust	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	HWA 555 Owners, LLC	100.00%	Partner

111 ***Hudson Waterfront Associates II, LP *(5)***

Owned by :	% Ownership	Name	Role
	1	HUDSON WATERFRONT II CORPORATION	Partner
	69	HUDSON WESTSIDE ASSOCIATES II, L.P.	Partner
	30	The Donald J. Trump Revocable Trust	Partner

112 ***Hudson Waterfront Associates III, LP *(1)***

Owned by :	% Ownership	Name	Role
	1	HUDSON WATERFRONT III CORPORATION	Partner
	69	HUDSON WESTSIDE ASSOCIATES III, L.P.	Partner
	30	The Donald J. Trump Revocable Trust	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	HWA 1290 III LLC	100.00%	Partner

113 ***Hudson Waterfront Associates IV, LP *(1)***

Owned by :	% Ownership	Name	Role
	1	HUDSON WATERFRONT IV CORPORATION	Partner
	69	HUDSON WESTSIDE ASSOCIATES IV, L.P.	Partner
	30	The Donald J. Trump Revocable Trust	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	HWA 1290 IV LLC	100.00%	Partner

114 ***Hudson Waterfront Associates V LP *(1)***

Owned by :	% Ownership	Name	Role
	1	HUDSON WATERFRONT V CORPORATION	Partner
	69	HUDSON WESTSIDE ASSOCIATES V, L.P.	Partner
	30	The Donald J. Trump Revocable Trust	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	HWA 1290 V LLC	100.00%	Partner

116 ***Indian Hills Holdings LLC *(3)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

117 ***TRUMP NATIONAL GOLF CLUB - JUPITER***

Owned by :	% Ownership	Name	Role
	1	JUPITER GOLF CLUB MANAGING MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

118 ***JUPITER GOLF CLUB MANAGING MEMBER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title

	TRUMP NATIONAL GOLF CLUB - JUPITER	1.00%	Managing Member	

119 ***LAMINGTON FAMILY HOLDINGS LLC***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings LLC		Member

120 ***TRUMP NATIONAL GOLF CLUB - BEDMINSTER***

Owned by :	**% Ownership**	**Name**		**Role**
	100	LFB ACQUISITION LLC		Member

121 ***Lawrence Towers Apartments LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	25	DJT Holdings LLC		Member
	75	Trump Family Members		Member

122 ***LFB ACQUISITION LLC *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	LFB ACQUISITION MEMBER CORP		Managing Member
	99	DJT HOLDINGS LLC		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP NATIONAL GOLF CLUB - BEDMINSTER	100.00%	Member	

123 ***LFB ACQUISITION MEMBER CORP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	LFB ACQUISITION LLC	1.00%	Managing Member	

125 ***MAR-A-LAGO CLUB INC *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	MAR-A-LAGO CLUB, L.L.C.	0.01%	Member	
	MALC, Inc.	100.00%	Shareholder	

126 ***MAR-A-LAGO CLUB, L.L.C.***

Assumed Names :	**D/B/A**			
	MAR-A-LAGO CLUB, L.L.C., L.C.			
Owned by :	**% Ownership**	**Name**		**Role**
	0.01	MAR-A-LAGO CLUB INC		Member
	99.99	The Donald J. Trump Revocable Trust		Member

127 ***Midland Associates *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	25	DJT Holdings LLC		Partner
	75	Trump Family Members		Partner

128 ***NITTO WORLD CO., LIMITED *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	TRUMP TURNBERRY		Shareholder

129 ***OCEAN DEVELOPMENT MEMBER INC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	OCEAN DEVELOPMENT SERVICES LLC	1.00%	Member	

131 ***One Central Park West Associates *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	50	TRUMP CENTRAL PARK WEST CORP		Partner
	50	GALBREATH COLUMBUS CIRCLE DEVELOPMENT ASSOCIATES, L.P.		Partner
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	One Central Park West PT Associates	34.30%	Member	

132 ***One Central Park West PT Associates *(3)***

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Owned by :	% Ownership	Name	Role
	34.3	One Central Park West Associates	Partner
	65.7	CPW PT Partners, G.P.	Partner

133 OPO HOTEL MANAGER LLC *(5)

Owned by :	% Ownership	Name	Role
	1	OPO HOTEL MANAGER MEMBER CORP	Managing Member
	22.50	Trump Family Members	Member
	76.50	DJT HOLDINGS LLC	Member

134 OPO HOTEL MANAGER MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	OPO HOTEL MANAGER LLC	1.00%	Managing Member

135 OWO DEVELOPER LLC *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

136 PANAMA OCEAN CLUB MANAGEMENT LLC *(3)

Owned by :	% Ownership	Name	Role
	1	PANAMA OCEAN CLUB MANAGEMENT MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

137 PANAMA OCEAN CLUB MANAGEMENT MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	PANAMA OCEAN CLUB MANAGEMENT LLC	1.00%	Managing Member

138 Paramount RPV Holdings LLC *(3)--DISSOLVED 10/14/16

Owned by :	% Ownership	Name	Role
	1	Paramount RPV Holdings Manager Corp	Managing Member
	99	DJT HOLDINGS LLC	Member

139 Paramount RPV Holdings Manager Corp *(3)--DISSOLVED 10/14/16

Owned by :	% Ownership	Name	Role
	100	Trump, Donald J.	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	Paramount RPV Holdings LLC	1.00%	Managing Member

140 Parc Consulting, Inc. *(1)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	40 Wall Development Associates, LLC	0.10%	Member

141 Park Briar Associates *(1)

Owned by :	% Ownership	Name	Role
	25	The Donald J. Trump Revocable Trust	Partner
	75	Trump Family Members	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	Starrett City Associates, L.P.	1.47%	Partner
	Spring Creek Plaza LLC	1.47%	Member

142 PINE HILL DEVELOPMENT LLC

Owned by :	% Ownership	Name	Role
	1	PINE HILL DEVELOPMENT MANAGING MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

143 PINE HILL DEVELOPMENT MANAGING MEMBER CORP *(1)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	PINE HILL DEVELOPMENT LLC	1.00%	Managing Member	

144 Plaza Consulting Corp. *(1)

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	The East 61 Street Company, LP	0.10%	Partner	

145 POKER VENTURE LLC *(3)

Owned by :	% Ownership	Name		Role
	1	POKER VENTURE MANAGING MEMBER CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

146 POKER VENTURE MANAGING MEMBER CORP *(3)

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	POKER VENTURE LLC	1.00%	Managing Member	

147 Reg-Tru Equities, LTD *(3)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings Managing Member LLC		Shareholder

148 RESTAURANT 40 LLC *(3)--DISSOLVED 11/9/16

Owned by :	% Ownership	Name		Role
	1	Restaurant 40 Member Corp		Managing Member
	99	Trump, Donald J.		Member

149 RESTAURANT 40 MEMBER CORP *(3)--DISSOLVED 11/9/16

Owned by :	% Ownership	Name		Role
	100	Trump, Donald J.		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	RESTAURANT 40 LLC	1.00%	Managing Member	

150 RPV DEVELOPMENT LLC *(1)

Owned by :	% Ownership	Name		Role
	100	DJT HOLDINGS MANAGING MEMBER LLC		Member
Has ownership interest in :	Entity Name	Ownership	Title	
	TRUMP NATIONAL GOLF CLUB - LOS ANGELES	100.00%	Shareholder	

151 SCOTLAND ACQUISITIONS LLC *(3)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Member

152 SENTIENT JETS MEMBER CORP *(3)--DISSOLVED 11/9/16

Owned by :	% Ownership	Name		Role
	100	Trump, Donald J.		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	TRUMP JETS LLC	1.00%	Managing Member	

153 Seven Springs LLC

Owned by :	% Ownership	Name		Role
	0.1	Bedford Hills Corp.		Managing Member
	99.9	DJT HOLDINGS LLC		Member

154 Shore Haven Apt#1, Inc. *(1)

Owned by :	% Ownership	Name		Role

	25	The Donald J. Trump Revocable Trust	Shareholder
	75	Trump Family Members	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	Starrett City Associates, L.P.	1.72%	Partner
	Spring Creek Plaza LLC	1.72%	Member

156 Shore Haven Shopping Center LLC *(3)

Owned by :	% Ownership	Name	Role
	25	DJT Holdings LLC	Member
	75	Trump Family Members	Member

157 TRUMP TURNBERRY

Owned by :	% Ownership	Name	Role
	100	Golf Recreation Scotland Limited	Sole Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	NITTO WORLD CO., LIMITED	100.00%	Shareholder

159 Sussex Hall, Inc. *(3)

Owned by :	% Ownership	Name	Role
	25	The Donald J. Trump Revocable Trust	Shareholder
	75	Trump Family Members	Shareholder

160 T International Realty LLC

Owned by :	% Ownership	Name	Role
	55	The Donald J. Trump Revocable Trust	Managing Member
	45	Trump Family Members	Member

161 TAG AIR INC. *(2)

Owned by :	% Ownership	Name	Role
	100	DJT OPERATIONS II LLC	Shareholder

162 THC BAKU HOTEL MANAGER SERVICES LLC *(4)

Owned by :	% Ownership	Name	Role
	1	THC BAKU HOTEL MANAGER SERVICES MEMBER CORP.	Managing Member
	99	DJT Holdings LLC	Member

163 THC BAKU HOTEL MANAGER SERVICES MEMBER CORP. *(4)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC BAKU HOTEL MANAGER SERVICES LLC	1.00%	Managing Member

164 THC BAKU SERVICES LLC *(4)

Owned by :	% Ownership	Name	Role
	1	THC BAKU SERVICES MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

165 THC BAKU SERVICES MEMBER CORP *(4)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC BAKU SERVICES LLC	1.00%	Managing Member

166 THC Barra Hotelaria LTDA. *(4)

Owned by :	% Ownership	Name	Role
	99	DJT Holdings LLC	Shareholder
	1	THC DEVELOPMENT BRAZIL MANAGING MEMBER CORP	Shareholder

167 THC CENTRAL RESERVATIONS LLC

Owned by :	% Ownership	Name	Role
	1	THC CENTRAL RESERVATIONS MEMBER CORP	Managing Member

	99	DJT Holdings LLC	Member

168 ***THC CENTRAL RESERVATIONS MEMBER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC CENTRAL RESERVATIONS LLC	1.00%	Managing Member

169 ***THC CHINA DEVELOPMENT LLC***

Owned by :	% Ownership	Name	Role
	100	TRUMP INTERNATIONAL HOTELS MANAGEMENT LLC	Member

170 ***THC CHINA TECHNICAL SERVICES LLC *(3)***

Owned by :	% Ownership	Name	Role
	1	THC CHINA TECHNICAL SERVICES MANAGER CORP	Managing Member
	99	DJT Holdings LLC	Member

171 ***THC CHINA TECHNICAL SERVICES MANAGER CORP *(3)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC CHINA TECHNICAL SERVICES LLC	1.00%	Managing Member

172 ***THC DEVELOPMENT BRAZIL LLC. *(3)***

Owned by :	% Ownership	Name	Role
	1	THC DEVELOPMENT BRAZIL MANAGING MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

173 ***THC DEVELOPMENT BRAZIL MANAGING MEMBER CORP *(3)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC DEVELOPMENT BRAZIL LLC.	1.00%	Managing Member
	THC Barra Hotelaria LTDA	1.00%	Managing Member

176 ***THC HOTEL DEVELOPMENT LLC *(3)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

177 ***THC IMEA DEVELOPMENT LLC***

Owned by :	% Ownership	Name	Role
	100	TRUMP INTERNATIONAL HOTELS MANAGEMENT LLC	Member

178 ***THC MIAMI RESTAURANT HOSPITALITY LLC***

Owned by :	% Ownership	Name	Role
	1	THC MIAMI RESTAURANT HOSPITALITY MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

179 ***THC MIAMI RESTAURANT HOSPITALITY MEMBER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC MIAMI RESTAURANT HOSPITALITY LLC	1.00%	Managing Member

180 ***THC QATAR HOTEL MANAGER LLC *(3)--DISSOLVED 1/26/17***

Owned by :	% Ownership	Name	Role

	1	THC QATAR HOTEL MANAGER MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

181 THC QATAR HOTEL MANAGER MEMBER CORP *(3)--DISSOLVED 1/26/17

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC QATAR HOTEL MANAGER LLC	1.00%	Managing Member

182 THC RIO MANAGER LLC *(3)

Owned by :	% Ownership	Name	Role
	1	THC RIO MANAGING MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

183 THC RIO MANAGING MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC RIO MANAGER LLC	1.00%	Managing Member

184 THC SALES & MARKETING LLC

Owned by :	% Ownership	Name	Role
	1	THC SALES & MARKETING MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

185 THC SALES & MARKETING MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC SALES & MARKETING LLC	1.00%	Managing Member

186 THC SERVICES SHENZHEN LLC *(3)

Owned by :	% Ownership	Name	Role
	1	THC SERVICES SHENZHEN MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

187 THC SERVICES SHENZHEN MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC SERVICES SHENZHEN LLC	1.00%	Managing Member

188 THC SHENZHEN HOTEL MANAGER LLC *(3)

Owned by :	% Ownership	Name	Role
	1	THC SHENZHEN HOTEL MANAGER MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

189 THC SHENZHEN HOTEL MANAGER MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THC SHENZHEN HOTEL MANAGER LLC	1.00%	Managing Member

190 THC VANCOUVER MANAGEMENT CORP

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

191 THC VANCOUVER PAYROLL ULC *(2)

Owned by :	% Ownership	Name	Role

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	100	THC VANCOUVER MANAGEMENT CORP		Member

192 ***THC VENTURE I LLC *(3)***

Owned by :	% Ownership	Name		Role
	99	DJT HOLDINGS LLC		Member
	1	THC VENTURE I MANAGING MEMBER CORP		Member

193 ***THC VENTURE I MANAGING MEMBER CORP. *(3)***

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	THC VENTURE I LLC	1.00%	Managing Member	

194 ***THC VENTURE II LLC *(3)***

Owned by :	% Ownership	Name		Role
	1	THC VENTURE II MANAGING MEMBER CORP.		Managing Member
	99	DTTM OPERATIONS LLC		Member

195 ***THC VENTURE II MANAGING MEMBER CORP. *(3)***

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	THC VENTURE II LLC	1.00%	Managing Member	

196 ***THC VENTURE III LLC - N/K/A TTTT Venture LLC *(1)***

Owned by :	% Ownership	Name		Role
	1	TTTT Venture Member Corp		Managing Member
	76.272	DTTM OPERATIONS LLC		Member
	22.728	Trump Family Members		Member
Has ownership interest in :	various entities as indicated elsewhere in this schedule			

197 ***THC VENTURE III MEMBER CORP - N/K/A TTTT Venture Member Corp *(1)***

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	TTTT VENTURE LLC	1.00%	Managing Member	

198 ***THE CARIBUSINESS RE CORP *(1)***

Owned by :	% Ownership	Name		Role
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	CARIBUSINESS MRE LLC	1.00%	Managing Member	
	Caribusiness Investments, S.R.L.	1.00%	Member	

199 ***The East 61 Street Company, LP***

Owned by :	% Ownership	Name		Role
	99.9	The Donald J. Trump Revocable Trust		Partner
	0.1	Plaza Consulting Corp.		Partner

200 ***THE TRUMP CORPORATION***

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Shareholder

201 ***THE TRUMP ENTREPRENEUR INITIATIVE LLC***

Owned by :	% Ownership	Name		Role
	100	THE TRUMP ENTREPRENEUR INITIATIVE LLC (NY DOMESTIC)		Managing Member

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Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP EDUCATION ULC	100.00%	Shareholder

202 THE TRUMP ENTREPRENEUR INITIATIVE LLC (NY DOMESTIC) *(1)

Owned by :	% Ownership	Name	Role
	0.1	DJT ENTREPRENEUR MANAGING MEMBER LLC (FORMALLY KNOWN AS DJT UNIVERSITY MANAGING MEMBER LLC)	Managing Member
	3.5	Spitalny, Jonathan	Member
	4.5	Sexton, Michael	Member
	91.9	DJT ENTREPRENEUR MEMBER LLC (FORMALLY KNOWN AS DJT UNIVERSITY MEMBER LLC)	Member

Has ownership interest in :	Entity Name	Ownership	Title
	THE TRUMP ENTREPRENEUR INITIATIVE LLC	100.00%	Managing Member

203 THE TRUMP FOLLIES LLC *(3)

Owned by :	% Ownership	Name	Role
	1	THE TRUMP FOLLIES MEMBER INC.	Managing Member
	99	DJT Holdings LLC	Member

204 THE TRUMP FOLLIES MEMBER INC. *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	THE TRUMP FOLLIES LLC	1.00%	Managing Member

205 The Trump Hotel Corp. *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

206 THE TRUMP MARKS REAL ESTATE CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS REAL ESTATE LLC	1.00%	Member

207 The Trump Organization, Inc. *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

208 The Trump-Equitable Fifth Avenue Company

Owned by :	% Ownership	Name	Role
	99	The Donald J. Trump Revocable Trust	Partner
	1	TIPPERARY REALTY CORPORATION	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	Fifty-Seventh Street Associates LLC	99.00%	Member
	TRUMP TOWER COMMERCIAL LLC	99.00%	Member

209 TIGL COMMON AREA MANAGEMENT CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

211 TRUMP INTERNATIONAL GOLF LINKS - DOONBEG

Owned by :	% Ownership	Name	Role
	100	TW VENTURE II LLC	Sole Member

212 TIGL IRELAND MANAGEMENT LIMITED *(assets & income already disclosed on Part 2 under TRUMP INTERNATIONAL GOLF LINKS - DOONBEG; operator of suites)

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	% Ownership	Name	Role
Owned by :	100	TRUMP INTERNATIONAL GOLF LINKS - DOONBEG	Sole Member

213 ***TIHC RESERVATIONS LLC *(3)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

214 ***TIHH MEMBER CORP *(1)***

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP INTERNATIONAL HOTEL HAWAII LLC	1.00%	Managing Member

215 ***TIHH MEMBER LLC *(1)***

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Managing Member

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP INTERNATIONAL HOTEL HAWAII LLC	99.00%	Member

216 ***TIHM MEMBER CORP. *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP INTERNATIONAL HOTELS MANAGEMENT LLC	0.10%	Managing Member

217 ***TIHT CHICAGO MEMBER ACQUISITION LLC *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS LLC	Member

	Entity Name	Ownership	Title
Has ownership interest in :	401 MEZZ VENTURE LLC	50.00%	Member

218 ***TIHT COMMERCIAL LLC***

	% Ownership	Name	Role
Owned by :	0.01	TIHT MEMBER LLC	Member
	99.99	The Donald J. Trump Revocable Trust	Managing Member

219 ***TIHT HOLDING COMPANY LLC***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

220 ***TIHT MEMBER LLC *(1)***

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Member

	Entity Name	Ownership	Title
Has ownership interest in :	TIHT COMMERCIAL LLC	0.01%	Member

221 ***TIPPERARY REALTY CORP. *(1)***

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	The Trump-Equitable Fifth Avenue Company	1.00%	Partner

222 ***TMG Member, LLC *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

	Entity Name	Ownership	Title
Has ownership interest in :	Trump Model Management LLC	85.00%	Member

223 ***TRUMP NATIONAL GOLF CLUB - CHARLOTTE***

	% Ownership	Name	Role
Owned by :			

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	1	TNGC CHARLOTTE MANAGER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

224 ***TNGC CHARLOTTE MANAGER CORP *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP NATIONAL GOLF CLUB - CHARLOTTE	1.00%	Managing Member

225 ***TRUMP NATIONAL GOLF CLUB - HUDSON VALLEY***

	% Ownership	Name	Role
Owned by :	1	TNGC DUTCHESS COUNTY MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

226 ***TNGC DUTCHESS COUNTY MEMBER CORP *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP NATIONAL GOLF CLUB - HUDSON VALLEY	1.00%	Managing Member

227 ***TNGC JUPITER MANAGEMENT LLC***

	% Ownership	Name	Role
Owned by :	1	TNGC JUPITER MANAGING MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

228 ***TNGC JUPITER MANAGING MEMBER CORP *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TNGC JUPITER MANAGEMENT LLC	1.00%	Managing Member

229 ***TRUMP NATIONAL GOLF CLUB - PHILADELPHIA***

	% Ownership	Name	Role
Owned by :	1	TNGC PINE HILL MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

230 ***TNGC PINE HILL MEMBER CORP *(1)***

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP NATIONAL GOLF CLUB - PHILADELPHIA	1.00%	Managing Member

231 ***Toronto Development LLC *(3)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

232 ***TP-CFD MANAGER CORP *(3)--DISSOLVED 10/18/16***

	% Ownership	Name	Role
Owned by :	100	Trump, Donald J.	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TP-CFD, LLC	1.00%	Managing Member

233 ***TP-CFD, LLC *(3)--DISSOLVED 10/18/16***

	% Ownership	Name	Role
Owned by :	1	TP-CFD MANAGER CORP	Managing Member
	99	Trump, Donald J.	Member

234 ***TRUMP 106 CPS LLC***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

235 ***Trump 845 LP LLC *(1)***

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Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Managing Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	845 UN Limited Partnership	60.00%	Partner	

236 TRUMP 845 UN GP LLC *(1)

Owned by :	% Ownership	Name		Role
	0.1	TRUMP 845 UN MGR CORP		Managing Member
	99.9	The Donald J. Trump Revocable Trust		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	845 UN Limited Partnership	40.00%	Partner	

237 TRUMP 845 UN MGR CORP

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP 845 UN GP LLC	0.10%	Managing Member	

238 TRUMP 845 UN MGR LLC *(3)

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Managing Member

239 TRUMP AC CASINO MARKS LLC *(3)

Owned by :	% Ownership	Name	Role
	1	TRUMP AC CASINO MARKS MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

240 TRUMP AC CASINO MARKS MEMBER CORP *(3)

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP AC CASINO MARKS LLC	1.00%	Managing Member	

241 TRUMP ACQUISITION CORP. *(3)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP ACQUISITION, LLC	1.00%	Managing Member	

242 TRUMP ACQUISITION, LLC *(3)

Owned by :	% Ownership	Name	Role
	1	TRUMP ACQUISITION CORP.	Managing Member
	99	DJT Holdings LLC	Member

243 TRUMP BOOKS LLC

Owned by :	% Ownership	Name	Role
	1	TRUMP BOOKS MANAGER CORP	Managing Member
	99	DJT Holdings LLC	Member

244 TRUMP BOOKS MANAGER CORP *(1)

Owned by :	% Ownership	Name		Role
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP BOOKS LLC	1.00%	Managing Member	

245 TRUMP BRAZIL LLC *(3)

Owned by :	% Ownership	Name	Role

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	100	DJT Holdings LLC	Member

246 ***TRUMP CANADIAN SERVICES, INC. *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	The Donald J. Trump Revocable Trust	Shareholder

247 ***TRUMP CANOUAN ESTATE LLC *(5)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP CANOUAN ESTATE MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

248 ***TRUMP CANOUAN ESTATE MEMBER CORP *(1)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	**Entity Name**	**Ownership**	**Title**
	TRUMP CANOUAN ESTATE LLC	1.00%	Managing Member

249 ***TRUMP CARIBBEAN LLC *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings LLC	Member

250 ***TRUMP CAROUSEL LLC***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP CAROUSEL MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

251 ***TRUMP CAROUSEL MEMBER CORP *(1)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	**Entity Name**	**Ownership**	**Title**
	TRUMP CAROUSEL LLC	1.00%	Managing Member

252 ***TRUMP CENTRAL PARK WEST CORP *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	**Entity Name**	**Ownership**	**Title**
	One Central Park West Associates	50.00%	Partner

253 ***Trump Chicago Commercial Member Corp *(1)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	**Entity Name**	**Ownership**	**Title**
	TRUMP CHICAGO COMMERCIAL MANAGER LLC	1.00%	Managing Member

254 ***TRUMP CHICAGO COMMERCIAL MANAGER LLC***

Owned by :	**% Ownership**	**Name**	**Role**
	1	Trump Chicago Commercial Member Corp	Managing Member
	99	DJT Holdings LLC	Member

255 ***TRUMP CHICAGO DEVELOPMENT LLC *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings LLC	Member

256 ***TRUMP CHICAGO HOTEL MANAGER LLC***

Owned by :	**% Ownership**	**Name**	**Role**
	1	Trump Chicago Hotel Member Corp	Managing Member
	99	DJT Holdings LLC	Member

257 ***Trump Chicago Hotel Member Corp *(1)***

Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	**Entity Name**	**Ownership**	**Title**

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	TRUMP CHICAGO HOTEL MANAGER LLC	1.00%	Managing Member	

258 ***TRUMP CHICAGO MANAGING MEMBER LLC *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT HOLDINGS LLC		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	401 MEZZ VENTURE LLC	1.00%	Member	

259 ***TRUMP CHICAGO MEMBER LLC *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT HOLDINGS LLC		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	401 MEZZ VENTURE LLC	49.00%	Member	

260 ***TRUMP CHICAGO RESIDENTIAL MANAGER LLC***

Owned by :	**% Ownership**	**Name**		**Role**
	1	Trump Chicago Residential Member Corp		Managing Member
	99	DJT Holdings LLC		Member

261 ***Trump Chicago Residential Member Corp *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP CHICAGO RESIDENTIAL MANAGER LLC	1.00%	Managing Member	

262 ***TRUMP CHICAGO RETAIL LLC *(assets & income already disclosed on Part 2 under 401 North Wabash Venture LLC; operator of retail space)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	401 MEZZ VENTURE LLC		Member

263 ***TRUMP CHICAGO RETAIL MANAGER LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP CHICAGO RETAIL MEMBER CORP		Managing Member
	99	DJT Holdings LLC		Member

264 ***TRUMP CHICAGO RETAIL MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP CHICAGO RETAIL MANAGER LLC	1.00%	Managing Member	

265 ***TRUMP CLASSIC CARS LLC *(4)--DISSOLVED 10/17/16***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP CLASSIC CARS MEMBER CORP		Member
	99	Trump, Donald J.		Member

266 ***TRUMP CLASSIC CARS MEMBER CORP *(4)--DISSOLVED 10/17/16***

Owned by :	**% Ownership**	**Name**		**Role**
	100	Trump, Donald J.		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP CLASSIC CARS LLC	1.00%	Member	

267 ***TRUMP COMMERCIAL CHICAGO LLC *(assets & income already disclosed on Part 2 under 401 North Wabash Venture LLC; operator of commercial space)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	401 North Wabash Venture LLC		Member

268 ***TRUMP CPS CORP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	The Donald J. Trump Revocable Trust		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP CPS LLC	0.10%	Managing Member	

269 ***TRUMP CPS LLC***

Owned by :	**% Ownership**	**Name**		**Role**
	0.1	TRUMP CPS CORP		Managing Member

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	99.9	The Donald J. Trump Revocable Trust	Member

270 ***TRUMP DELMONICO LLC *(1)***

	% Ownership	Name		Role
Owned by :	100	The Donald J. Trump Revocable Trust		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP PARK AVENUE LLC	50.00%	Managing Member	

271 ***TRUMP DEVELOPMENT SERVICES LLC *(3)***

	% Ownership	Name	Role
Owned by :	1	TRUMP DEVELOPMENT SERVICES MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

272 ***TRUMP DEVELOPMENT SERVICES MEMBER CORP *(3)***

	% Ownership	Name		Role
Owned by :	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP DEVELOPMENT SERVICES LLC	1.00%	Managing Member	

275 ***TRUMP DRINKS ISRAEL LLC *(3)***

	% Ownership	Name	Role
Owned by :	1	TRUMP DRINKS ISRAEL MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

276 ***TRUMP DRINKS ISRAEL MEMBER CORP *(3)***

	% Ownership	Name		Role
Owned by :	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP DRINKS ISRAEL LLC	1.00%	Managing Member	

277 ***TRUMP EDUCATION ULC *(3)***

	% Ownership	Name	Role
Owned by :	100	THE TRUMP ENTREPRENEUR INITIATIVE LLC (NY DOMESTIC)	Shareholder

278 ***TRUMP EMPIRE STATE INC *(3)***

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

279 ***TRUMP NATIONAL DORAL***

	% Ownership	Name	Role
Owned by :	1	TRUMP ENDEAVOR 12 MANAGER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

280 ***TRUMP ENDEAVOR 12 MANAGER CORP *(1)***

	% Ownership	Name		Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP NATIONAL DORAL	1.00%	Managing Member	

281 ***TRUMP EU MARKS LLC *(3)***

	% Ownership	Name	Role
Owned by :	1	TRUMP EU MARKS MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

282 ***TRUMP EU MARKS MEMBER CORP *(3)***

	% Ownership	Name		Role
Owned by :	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	

TRUMP EU MARKS LLC	1.00%	Managing Member

283 *TRUMP FERRY POINT LLC*

Assumed Names :

D/B/A	Jurisdiction
Trump Golf Links Ferry Point	Delaware
Trump Golf Links Ferry Point	New York
Trump Golf Links	New York

Owned by :

% Ownership	Name	Role
1	TRUMP FERRY POINT MEMBER CORP	Managing Member
99	DJT Holdings LLC	Member

284 *TRUMP FERRY POINT MEMBER CORP *(1)*

Owned by :

% Ownership	Name	Role
100	The Donald J. Trump Revocable Trust	Shareholder

Has ownership interest in :

Entity Name	Ownership	Title
TRUMP FERRY POINT LLC	1.00%	Managing Member

285 *TRUMP FLORIDA MANAGEMENT LLC *(3)*

Owned by :

% Ownership	Name	Role
1	TRUMP FLORIDA MANAGER CORP	Member
99	DJT HOLDINGS LLC	Member

286 *TRUMP FLORIDA MANAGER CORP *(3)*

Owned by :

% Ownership	Name	Role
100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :

Entity Name	Ownership	Title
TRUMP FLORIDA MANAGEMENT LLC	1.00%	Member

287 *TRUMP GOLF ACQUISITIONS LLC*

Owned by :

% Ownership	Name	Role
100	DJT Holdings LLC	Member

288 *TRUMP GOLF COCO BEACH LLC *(4)*

Owned by :

% Ownership	Name	Role
1	TRUMP GOLF COCO BEACH MEMBER CORP	Managing Member
99	DJT Holdings LLC	Member

289 *TRUMP GOLF COCO BEACH MEMBER CORP *(4)*

Owned by :

% Ownership	Name	Role
100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :

Entity Name	Ownership	Title
TRUMP GOLF COCO BEACH LLC	1.00%	Managing Member

290 *TRUMP GOLF MANAGEMENT LLC *(3)*

Owned by :

% Ownership	Name	Role
100	DJT Holdings LLC	Member

291 *TRUMP HOME MARKS LLC*

Owned by :

% Ownership	Name	Role
1	TRUMP HOME MARKS MEMBER CORP	Managing Member
99	DTTM OPERATIONS LLC	Member

292 *TRUMP HOME MARKS MEMBER CORP *(1)*

Owned by :

% Ownership	Name	Role
100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :

Entity Name	Ownership	Title
TRUMP HOME MARKS LLC	1.00%	Managing Member

293 *TRUMP ICE INC *(3)*

Owned by :

% Ownership	Name	Role
100	DJT Holdings LLC	Shareholder

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294 ***TRUMP ICE LLC***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings LLC		Member

295 ***TRUMP INTERNATIONAL DEVELOPMENT LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP INTERNATIONAL DEVELOPMENT MEMBER CORP		Managing Member
	99	DJT Holdings LLC		Member

296 ***TRUMP INTERNATIONAL DEVELOPMENT MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP INTERNATIONAL DEVELOPMENT LLC	1.00%	Managing Member	

297 ***TRUMP INTERNATIONAL GOLF LINKS - SCOTLAND***

Owned by :	**% Ownership**	**Name**		**Role**
	99	DJT HOLDINGS MANAGING MEMBER LLC		Member
	1	TRUMP SCOTLAND MEMBER INC		Member

298 ***Trump International Golf Club, Inc. *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP INTERNATIONAL GOLF CLUB - FLORIDA	0.001%	Member	

299 ***TRUMP INTERNATIONAL GOLF CLUB - FLORIDA***

Owned by :	**% Ownership**	**Name**		**Role**
	0.001	Trump International Golf Club, Inc.		Member
	99.999	The Donald J. Trump Revocable Trust		Member

300 ***TRUMP INTERNATIONAL HOTEL HAWAII LLC***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TIHH MEMBER CORP		Managing Member
	99	TIHH MEMBER LLC		Member

301 ***TRUMP INTERNATIONAL HOTELS MANAGEMENT LLC***

Assumed Names :	**D/B/A**	**Jurisdiction**		
	TRUMP HOTEL COLLECTION	Hawaii		
	TRUMP HOTEL COLLECTION	New York		
Owned by :	**% Ownership**	**Name**		**Role**
	0.1	TIHM MEMBER CORP.		Managing Member
	99.9	DJT Holdings LLC		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	THC CHINA DEVELOPMENT LLC	100.00%	Member	
	THC IMEA DEVELOPMENT LLC	100.00%	Member	

302 ***TRUMP JETS LLC *(3)--DISSOLVED 11/9/16***

Owned by :	**% Ownership**	**Name**		**Role**
	1	SENTIENT JETS MEMBER CORP XXXXXXXX		Managing Member
	99	Trump, Donald J.		Member

303 ***Trump Korea LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	41	DAEWOO AMERICA DEVELOPMENT (NEW YORK) CORP		Member
	59	TRUMP KOREAN PROJECTS LLC		Member

304 ***TRUMP KOREAN PROJECTS LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings LLC		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	

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	Trump Korea LLC	59.00%	Member

305 TRUMP LAS OLAS LLC *(3)

	% Ownership	Name	Role
Owned by :	1	TRUMP LAS OLAS MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

306 TRUMP LAS OLAS MEMBER CORP *(3)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP LAS OLAS LLC	1.00%	Managing Member

307 TRUMP LAS VEGAS CORP *(1)

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP LAS VEGAS MANAGING MEMBER LLC	6.00%	Managing Member
	TRUMP LAS VEGAS MEMBER LLC	6.00%	Managing Member

308 TRUMP LAS VEGAS DEVELOPMENT LLC

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS LLC	Member

309 TRUMP LAS VEGAS MANAGING MEMBER LLC

	% Ownership	Name	Role
Owned by :	6	TRUMP LAS VEGAS CORP	Member
	94	DJT HOLDINGS LLC	Member

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP RUFFIN LLC	1.00%	Managing Member

310 TRUMP LAS VEGAS MEMBER LLC

	% Ownership	Name	Role
Owned by :	6	TRUMP LAS VEGAS CORP	Member
	94	DJT HOLDINGS LLC	Managing Member

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP RUFFIN LLC	49.00%	Member

311 Trump Las Vegas Sales & Marketing, Inc.

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

312 TRUMP LAUDERDALE DEVELOPMENT LLC *(3)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

313 TRUMP LAUDERDALE DEVELOPMENT NO 2 LLC *(4)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

314 TRUMP MARKETING LLC *(4)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings LLC	Member

315 TRUMP MARKS ASIA CORP *(1)

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP MARKS ASIA LLC	1.00%	Managing Member

316 TRUMP MARKS ASIA LLC

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS ASIA CORP	Managing Member

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	99	DJT HOLDINGS LLC		Member

317 ***TRUMP MARKS ATLANTA LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP MARKS ATLANTA MEMBER CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

318 ***TRUMP MARKS ATLANTA MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS ATLANTA LLC	1.00%	Managing Member	

321 ***TRUMP MARKS BATUMI LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP MARKS BATUMI MANAGING MEMBER CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

322 ***TRUMP MARKS BATUMI MANAGING MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS BATUMI LLC	1.00%	Managing Member	

325 ***TRUMP MARKS CANOUAN CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS CANOUAN LLC	1.00%	Managing Member	

326 ***TRUMP MARKS CANOUAN LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP MARKS CANOUAN CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

327 ***TRUMP MARKS CHICAGO LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP MARKS CHICAGO MEMBER CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

328 ***TRUMP MARKS CHICAGO MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS CHICAGO LLC	1.00%	Managing Member	

329 ***TRUMP MARKS DUBAI CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS DUBAI LLC	1.00%	Managing Member	

330 ***TRUMP MARKS DUBAI LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP MARKS DUBAI CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

331 ***TRUMP MARKS EGYPT CORP *(3)***

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Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS EGYPT LLC	1.00%	Managing Member	

332 ***TRUMP MARKS EGYPT LLC *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP MARKS EGYPT CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

333 ***TRUMP MARKS FINE FOODS LLC***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP MARKS FINE FOODS MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

334 ***TRUMP MARKS FINE FOODS MEMBER CORP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS FINE FOODS LLC	1.00%	Managing Member	

335 ***TRUMP MARKS FT LAUDERDALE LLC *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP MARKS FT LAUDERDALE MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

336 ***TRUMP MARKS FT LAUDERDALE MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS FT LAUDERDALE LLC	1.00%	Managing Member	

337 ***TRUMP MARKS GP CORP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS HOLDINGS LP	1.00%	Partner	

338 ***TRUMP MARKS HOLDINGS LP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP MARKS GP CORP		Partner
	99	DTTM Operations LLC		Partner
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS LLC	100.00%	Member	

339 ***TRUMP MARKS HOLLYWOOD CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS HOLLYWOOD LLC	1.00%	Managing Member	

340 ***TRUMP MARKS HOLLYWOOD LLC *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP MARKS HOLLYWOOD CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

341 ***TRUMP MARKS ISTANBUL II CORP *(1)***

Owned by :	**% Ownership**	**Name**	**Role**

	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS INSTANBUL II LLC	1.00%	Managing Member

342 *TRUMP MARKS ISTANBUL II LLC*

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS ISTANBUL II CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

343 *TRUMP MARKS JERSEY CITY CORP *(4)*

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS JERSEY CITY LLC	1.00%	Managing Member

344 *TRUMP MARKS JERSEY CITY LLC *(4)*

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS JERSEY CITY CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

345 *TRUMP MARKS LAS VEGAS CORP *(3)*

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS LAS VEGAS LLC	1.00%	Managing Member

346 *TRUMP MARKS LAS VEGAS LLC *(3)*

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS LAS VEGAS CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

347 *TRUMP MARKS LLC*

Owned by :	% Ownership	Name	Role
	100	TRUMP MARKS HOLDINGS LP	Member

348 *TRUMP MARKS MAGAZINE CORP *(3)--DISSOLVED 11/9/16*

Owned by :	% Ownership	Name	Role
	100	Trump, Donald J.	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS MAGAZINE LLC	1.00%	Managing Member

349 *TRUMP MARKS MAGAZINE LLC *(3)--DISSOLVED 11/9/16*

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS MAGAZINE CORP	Managing Member
	99	Trump, Donald J.	Member

350 *TRUMP MARKS MATTRESS LLC*

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS MATTRESS MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

351 *TRUMP MARKS MATTRESS MEMBER CORP *(1)*

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS MATTRESS LLC	1.00%	Managing Member

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352 TRUMP MARKS MENSWEAR LLC

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS MENSWEAR MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

353 TRUMP MARKS MENSWEAR MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS MENSWEAR LLC	1.00%	Managing Member

354 TRUMP MARKS MORTGAGE CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS MTG LLC	1.00%	Managing Member

355 TRUMP MARKS MTG LLC *(3)

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS MORTGAGE CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

356 TRUMP MARKS MUMBAI LLC *(3)

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS MUMBAI MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

357 TRUMP MARKS MUMBAI MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS MUMBAI LLC	1.00%	Managing Member

358 TRUMP MARKS NEW ROCHELLE CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS NEW ROCHELLE LLC	1.00%	Managing Member

359 TRUMP MARKS NEW ROCHELLE LLC

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS NEW ROCHELLE CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

360 TRUMP MARKS PALM BEACH CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS PALM BEACH LLC	1.00%	Managing Member

361 TRUMP MARKS PALM BEACH LLC *(3)

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS PALM BEACH CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

362 TRUMP MARKS PANAMA CORP *(1)

Owned by :	% Ownership	Name	Role

	100	DTTM Operations Managing Member Corp	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP MARKS PANAMA LLC	1.00%	Managing Member

363 TRUMP MARKS PANAMA LLC

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS PANAMA CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

364 TRUMP MARKS PHILADELPHIA CORP *(3)

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP MARKS PHILADELPHIA LLC	1.00%	Managing Member

365 TRUMP MARKS PHILADELPHIA LLC *(3)

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS PHILADELPHIA CORP	Managing Member
	99	The Donald J. Trump Revocable Trust	Member

366 TRUMP MARKS PHILIPPINES CORP *(1)

	% Ownership	Name	Role
Owned by :	100	DTTM Operations Managing Member Corp	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP MARKS PHILIPPINES LLC	1.00%	Managing Member

367 TRUMP MARKS PHILIPPINES LLC

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS PHILIPPINES CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

368 TRUMP MARKS PRODUCTS LLC *(4)

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS PRODUCTS MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

369 TRUMP MARKS PRODUCTS MEMBER CORP *(4)

	% Ownership	Name	Role
Owned by :	100	DTTM Operations Managing Member Corp	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP MARKS PRODUCTS LLC	1.00%	Managing Member

370 TRUMP MARKS PUERTO RICO I LLC *(3)

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS PUERTO RICO I MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

371 TRUMP MARKS PUERTO RICO I MEMBER CORP *(3)

	% Ownership	Name	Role
Owned by :	100	DTTM Operations Managing Member Corp	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP MARKS PUERTO RICO I LLC	1.00%	Managing Member

372 TRUMP MARKS PUERTO RICO II LLC *(3)--DISSOLVED 11/9/16

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS PUERTO RICO II MEMBER CORP	Managing Member
	99	Trump, Donald J.	Member

373 TRUMP MARKS PUERTO RICO II MEMBER CORP *(3)--DISOLVED 11/10/16

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	% Ownership	Name		Role
Owned by :	100	Trump, Donald J.		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS PUERTO RICO II LLC	1.00%	Managing Member	

374 ***TRUMP MARKS PUNTA DEL ESTE LLC *(4)***

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS PUNTA DEL ESTE MANAGER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

375 ***TRUMP MARKS PUNTA DEL ESTE MANAGER CORP *(4)***

	% Ownership	Name		Role
Owned by :	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS PUNTA DEL ESTE LLC	1.00%	Managing Member	

376 ***TRUMP MARKS REAL ESTATE LLC *(5)***

	% Ownership	Name	Role
Owned by :	1	THE TRUMP MARKS REAL ESTATE CORP	Member
	99	DTTM OPERATIONS LLC	Member

377 ***TRUMP MARKS SOHO LICENSE CORP *(4)***

	% Ownership	Name		Role
Owned by :	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS SOHO LLC	1.00%	Member	

378 ***TRUMP MARKS SOHO LLC *(4)***

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS SOHO LICENSE CORP	Member
	99	DTTM OPERATIONS LLC	Member

379 ***TRUMP MARKS STAMFORD CORP *(1)***

	% Ownership	Name		Role
Owned by :	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS STAMFORD LLC	1.00%	Member	

380 ***TRUMP MARKS STAMFORD LLC***

	% Ownership	Name	Role
Owned by :	99	DTTM OPERATIONS LLC	Member
	1	TRUMP MARKS STAMFORD CORP	Member

381 ***TRUMP MARKS SUNNY ISLES I LLC***

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS SUNNY ISLES I MEMBER CORP	Member
	99	DTTM OPERATIONS LLC	Member

382 ***TRUMP MARKS SUNNY ISLES I MEMBER CORP *(1)***

	% Ownership	Name		Role
Owned by :	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP MARKS SUNNY ISLES I LLC	1.00%	Member	

383 ***TRUMP MARKS SUNNY ISLES II LLC *(4)***

	% Ownership	Name	Role
Owned by :	1	TRUMP MARKS SUNNY ISLES II MEMBER CORP	Member
	99	DTTM OPERATIONS LLC	Member

384 ***TRUMP MARKS SUNNY ISLES II MEMBER CORP *(4)***

	% Ownership	Name	Role
Owned by :	100	DTTM Operations Managing Member Corp	Shareholder

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Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS SUNNY ISLES II LLC	1.00%	Member

385 ***TRUMP MARKS TAMPA CORP *(3)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS TAMPA LLC	1.00%	Member

386 ***TRUMP MARKS TAMPA LLC *(3)***

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS TAMPA CORP	Member
	99	DTTM OPERATIONS LLC	Member

387 ***TRUMP MARKS TORONTO CORP *(3)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS TORONTO LLC	1.00%	Member

388 ***TRUMP MARKS TORONTO LLC *(3)***

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS TORONTO CORP	Member
	99	DTTM OPERATIONS LLC	Member

389 ***TRUMP MARKS TORONTO LP *(3)***

Owned by :	% Ownership	Name	Role
	1	TRUMP TORONTO MEMBER CORP	Member
	99	DTTM Operations LLC	Member

390 ***TRUMP MARKS WAIKIKI CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS WAIKIKI LLC	1.00%	Managing Member

391 ***TRUMP MARKS WAIKIKI LLC***

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS WAIKIKI CORP	Managing Member
	99	The Donald J. Trump Revocable Trust	Member

392 ***TRUMP MARKS WESTCHESTER CORP *(4)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS WESTCHESTER LLC	1.00%	Managing Member

393 ***TRUMP MARKS WESTCHESTER LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS WESTCHESTER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

394 ***TRUMP MARKS WHITE PLAINS CORP *(4)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP MARKS WHITE PLAINS LLC	1.00%	Managing Member

395 ***TRUMP MARKS WHITE PLAINS LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	TRUMP MARKS WHITE PLAINS CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

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396 *TRUMP MIAMI RESORT MANAGEMENT LLC*

	% Ownership	Name	Role
Owned by :	1	TRUMP MIAMI RESORT MANAGEMENT MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

397 *TRUMP MIAMI RESORT MANAGEMENT MEMBER CORP *(1)*

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP MIAMI RESORT MANAGEMENT LLC	1.00%	Managing Member

398 *TRUMP MODEL MANAGEMENT LLC*

	D/B/A	Jurisdiction
Assumed Names :	TRUMP MODELS	New York

	% Ownership	Name	Role
Owned by :	15	Annie Veltri	Member
	85	TMG Member, LLC	Member

399 *TRUMP NATIONAL GOLF CLUB - COLTS NECK*

	% Ownership	Name	Role
Owned by :	1	TRUMP NATIONAL GOLF CLUB COLTS NECK MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

400 *TRUMP NATIONAL GOLF CLUB COLTS NECK MEMBER CORP *(1)*

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP NATIONAL GOLF CLUB - COLTS NECK	1.00%	Managing Member

401 *TRUMP NATIONAL GOLF CLUB - WESTCHESTER*

	% Ownership	Name	Role
Owned by :	1	TRUMP NATIONAL GOLF CLUB MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Managing Member

402 *TRUMP NATIONAL GOLF CLUB MEMBER CORP *(1)*

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP NATIONAL GOLF CLUB - WESTCHESTER	1.00%	Managing Member

403 *TRUMP NATIONAL GOLF CLUB - WASHINGTON DC*

	% Ownership	Name	Role
Owned by :	1	TRUMP NATIONAL GOLF CLUB WASHINGTON DC MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

404 *TRUMP NATIONAL GOLF CLUB WASHINGTON DC MEMBER CORP *(1)*

	% Ownership	Name	Role
Owned by :	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	TRUMP NATIONAL GOLF CLUB - WASHINGTON DC	1.00%	Managing Member

405 *Trump New World Property Management, LLC *(3)*

	% Ownership	Name	Role
Owned by :	50	New World Property Management Limited	Managing Member
	50	TRUMP RIVERSIDE MANAGEMENT LLC	Managing Member

406 *TRUMP OCEAN MANAGER, INC. *(3)--DISSOLVED 11/10/16*

	% Ownership	Name	Role
Owned by :			

	100	Trump, Donald J.		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP OCEAN MANAGING MEMBER LLC	1.00%	Managing Member	

408 ***TRUMP OLD POST OFFICE LLC***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP OLD POST OFFICE MEMBER CORP	Managing Member
	76.725	DJT HOLDINGS LLC	Member
	22.275	Trump Family Members	Member

409 ***TRUMP OLD POST OFFICE MEMBER CORP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	77.5	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder
	22.5	Trump Family Members		
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP OLD POST OFFICE LLC	1.00%	Managing Member	

411 ***TRUMP ORGANIZATION LLC *(3)***

Assumed Names :	**D/B/A**	**Jurisdiction**	
	The Trump Organization	New York	
Owned by :	**% Ownership**	**Name**	**Role**
	100	DJT Holdings LLC	Member

412 ***TRUMP PAGEANTS, INC. *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	Miss Universe L.P., LLLP	2.00%	Partner	

413 ***Miss Universe L.P., LLLP***

Owned by :	**% Ownership**	**Name**	**Role**
	2	TRUMP PAGEANTS, INC.	Partner
	98	DJT Holdings LLC	Partner

414 ***TRUMP PALACE/PARC LLC***

Owned by :	**% Ownership**	**Name**	**Role**
	0.1	FIRST MEMBER INC	Managing Member
	99.9	The Donald J. Trump Revocable Trust	Member

415 ***TRUMP PANAMA CONDOMINIUM MANAGEMENT LLC *(3)***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP PANAMA CONDOMINIUM MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

416 ***TRUMP PANAMA CONDOMINIUM MEMBER CORP *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP PANAMA CONDOMINIUM MANAGEMENT LLC	1.00%	Managing Member	

417 ***TRUMP PANAMA HOTEL MANAGEMENT LLC***

Owned by :	**% Ownership**	**Name**	**Role**
	1	TRUMP PANAMA HOTEL MANAGEMENT MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

418 ***TRUMP PANAMA HOTEL MANAGEMENT MEMBER CORP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP PANAMA HOTEL MANAGEMENT LLC	1.00%	Managing Member	

419 ***TRUMP PARK AVENUE ACQUISITION LLC *(1)***

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Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Member

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP PARK AVENUE LLC	49.90%	Member

420 *TRUMP PARK AVENUE LLC*

Owned by :	% Ownership	Name	Role
	0.1	GEPT Delmonico LLC	Member
	49.9	TRUMP PARK AVENUE ACQUISITION LLC	Member
	50	TRUMP DELMONICO LLC	Managing Member

421 *TRUMP PAYROLL CHICAGO LLC *(2)*

Owned by :	% Ownership	Name	Role
	100	401 North Wabash Venture LLC	Managing Member

422 *TRUMP PAYROLL CORP *(2)*

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

423 *TRUMP PHOENIX DEVELOPMENT LLC *(3)*

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Shareholder

424 *TRUMP PLAZA LLC*

Owned by :	% Ownership	Name	Role
	1	TRUMP PLAZA MEMBER INC.	Managing Member
	99	The Donald J. Trump Revocable Trust	Member

425 *TRUMP PLAZA MEMBER INC. *(1)*

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP PLAZA LLC	1.00%	Managing Member

426 *TRUMP PRODUCTIONS LLC*

Owned by :	% Ownership	Name	Role
	1	TRUMP PRODUCTIONS MANAGING MEMBER INC.	Managing Member
	99	DJT Holdings LLC	Member

427 *TRUMP PRODUCTIONS MANAGING MEMBER INC. *(1)*

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP PRODUCTIONS LLC	1.00%	Managing Member

428 *TRUMP PROJECT MANAGEMENT CORP *(3)--DISSOLVED 11/10/16*

Owned by :	% Ownership	Name	Role
	100	Trump, Donald J.	Shareholder

429 *TRUMP REALTY SERVICES LLC *(5)*

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

430 *Trump Restaurants LLC*

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

431 *TRUMP RIVERSIDE MANAGEMENT LLC *(3)*

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	Trump New World Property Management, LLC	50.00%	Managing Member

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432 ***TRUMP RUFFIN COMMERCIAL LLC *(assets & income already disclosed on Part 2 under TRUMP RUFFIN TOWER I LLC; operator of front desk)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	TRUMP RUFFIN TOWER I LLC		Managing Member

433 ***TRUMP RUFFIN LLC *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP LAS VEGAS MANAGING MEMBER LLC		Managing Member
	49	TRUMP LAS VEGAS MEMBER LLC		Member
	50	Hyde Park, LLC		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP RUFFIN TOWER I LLC	100.00%	Managing Member	

434 ***TRUMP RUFFIN TOWER I LLC***

Owned by :	**% Ownership**	**Name**		**Role**
	100	TRUMP RUFFIN LLC		Managing Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP RUFFIN COMMERCIAL LLC	100.00%	Managing Member	

435 ***TRUMP SALES & LEASING CHICAGO LLC *(5)***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP SALES & LEASING CHICAGO MEMBER CORP		Member
	99	DJT Holdings LLC		Member

436 ***TRUMP SALES & LEASING CHICAGO MEMBER CORP *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP SALES & LEASING CHICAGO LLC	1.00%	Member	

437 ***TRUMP SCOTLAND MEMBER INC. *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP INTERNATIONAL GOLF LINKS - SCOTLAND	1.00%	Member	

438 ***TRUMP SCOTSBOROUGH SQUARE LLC***

Owned by :	**% Ownership**	**Name**		**Role**
	1	TRUMP SCOTSBOROUGH SQUARE MEMBER CORP.		Managing Member
	99	DJT HOLDINGS LLC		Member

439 ***TRUMP SCOTSBOROUGH SQUARE MEMBER CORP. *(1)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP SCOTSBOROUGH SQUARE LLC	1.00%	Managing Member	

440 ***TRUMP SOHO MEMBER LLC *(3)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings LLC		Member

441 ***TRUMP TORONTO DEVELOPMENT, INC. *(4)***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT Holdings Managing Member LLC		Shareholder

442 ***TRUMP TORONTO HOTEL MANAGEMENT CORP***

Owned by :	**% Ownership**	**Name**		**Role**
	100	DJT HOLDINGS MANAGING MEMBER LLC		Shareholder

443 ***TRUMP TORONTO MEMBER CORP *(3)***

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Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	TRUMP MARKS TORONTO LP	1.00%	Member	

444 *TRUMP TOWER COMMERCIAL LLC*

Owned by :	% Ownership	Name	Role
	1	TRUMP TOWER MANAGING MEMBER INC.	Managing Member
	99	The Trump-Equitable Fifth Avenue Company	Member

445 *TRUMP TOWER MANAGING MEMBER INC.*

Owned by :	% Ownership	Name		Role
	100	The Donald J. Trump Revocable Trust		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	TRUMP TOWER COMMERCIAL LLC	1.00%	Managing Member	

446 *Trump Village Construction Corp. *(1)*

Owned by :	% Ownership	Name		Role
	25	The Donald J. Trump Revocable Trust		Shareholder
	75	Trump Family Members		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	Starrett City Associates, L.P.	1.84%	Partner	
	Spring Creek Plaza LLC	1.84%	Member	

447 *TRUMP VINEYARD ESTATES LLC*

Owned by :	% Ownership	Name		Role
	1	TRUMP VINEYARD ESTATES MANAGER CORP		Managing Member
	99	DJT HOLDINGS LLC		Member
Has ownership interest in :	Entity Name	Ownership	Title	
	TRUMP VINEYARD ESTATES LOT 3 OWNER LLC	100.00%	Member	

448 *TRUMP VINEYARD ESTATES LOT 3 OWNER LLC*

Owned by :	% Ownership	Name	Role
	100	TRUMP VINEYARD ESTATES LLC	Member

449 *TRUMP VINEYARD ESTATES MANAGER CORP *(1)*

Owned by :	% Ownership	Name		Role
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	TRUMP VINEYARD ESTATES LLC	1.00%	Managing Member	

450 *TRUMP VIRGINIA ACQUISITIONS LLC*

Owned by :	% Ownership	Name	Role
	1	TRUMP VIRGINIA ACQUISITIONS MANAGER CORP	Managing Member
	99	DJT Holdings LLC	Member

451 *TRUMP VIRGINIA ACQUISITIONS MANAGER CORP *(1)*

Owned by :	% Ownership	Name		Role
	100	DJT Holdings Managing Member LLC		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	TRUMP VIRGINIA ACQUISITIONS LLC	1.00%	Managing Member	

452 *TRUMP VIRGINIA LOT 5 LLC*

Owned by :	% Ownership	Name	Role
	1	TRUMP VIRGINIA LOT 5 MANAGER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

453 *TRUMP VIRGINIA LOT 5 MANAGER CORP *(1)*

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

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Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP VIRGINIA LOT 5 LLC	1.00%	Managing Member

454 TRUMP WINE MARKS LLC *(3)

Owned by :	% Ownership	Name	Role
	1	TRUMP WINE MARKS MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

455 TRUMP WINE MARKS MEMBER CORP *(3)

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP WINE MARKS LLC	1.00%	Managing Member

456 TRUMP WORLD PRODUCTIONS LLC *(4)

Owned by :	% Ownership	Name	Role
	1	TRUMP WORLD PRODUCTIONS MANAGER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

457 TRUMP WORLD PRODUCTIONS MANAGER CORP *(4)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TRUMP WORLD PRODUCTIONS LLC	1.00%	Managing Member

458 TRUMP WORLD PUBLICATIONS LLC *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

459 TRUMP'S CASTLE MANAGEMENT CORP *(3)

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Shareholder

460 TURNBERRY SCOTLAND LLC *(1)

Owned by :	% Ownership	Name	Role
	1	TURNBERRY SCOTLAND MANAGING MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

Has ownership interest in :	Entity Name	Ownership	Title
	Golf Recreation Scotland Limited	100.00%	Sole Member

461 TURNBERRY SCOTLAND MANAGING MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TURNBERRY SCOTLAND LLC	1.00%	Managing Member

462 TW VENTURE I LLC

Owned by :	% Ownership	Name	Role
	1	TW VENTURE I MANAGING MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

463 TW VENTURE I MANAGING MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TW VENTURE I LLC	1.00%	Managing Member

464 TW VENTURE II LLC *(1)

Owned by :	% Ownership	Name	Role

	1	TW VENTURE II MANAGING MEMBER CORP		Managing Member
	99	DJT HOLDINGS LLC		Member
Has ownership interest in :	**Entity Name**	**Ownership**	**Title**	
	TRUMP INTERNATIONAL GOLF LINKS - DOONBEG	100.00%	Shareholder	

465 TW VENTURE II MANAGING MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	TW VENTURE II LLC	1.00%	Managing Member

466 ULTIMATE AIR CORP. *(3)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

467 UNIT 2502 ENTERPRISES CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	UNIT 2502 ENTERPRISES LLC	1.00%	Managing Member

468 UNIT 2502 ENTERPRISES LLC *(5)

Owned by :	% Ownership	Name	Role
	1	UNIT 2502 ENTERPRISES CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

469 TRUMP NATIONAL GOLF CLUB - LOS ANGELES

Owned by :	% Ownership	Name	Role
	100	RPV DEVELOPMENT LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	VHPS LLC	100.00%	Managing Member

470 VHPS LLC *(assets & income already disclosed on Part 2 under TRUMP NATIONAL GOLF CLUB - LOS ANGELES; owner of vacant land)

Owned by :	% Ownership	Name	Role
	100	TRUMP NATIONAL GOLF CLUB - LOS ANGELES	Managing Member

471 WEST PALM OPERATIONS LLC *(5)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

472 Wexford Hall Inc. *(3)

Owned by :	% Ownership	Name	Role
	25	The Donald J. Trump Revocable Trust	Shareholder
	75	Trump Family Members	Shareholder

473 WHITE COURSE LLC *(5)

Owned by :	% Ownership	Name	Role
	1	WHITE COURSE MANAGING MEMBER CORP	Managing Member
	99	DJT HOLDINGS LLC	Member

474 WHITE COURSE MANAGING MEMBER CORP *(1)

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	WHITE COURSE LLC	1.00%	Managing Member

475 Wilshire Hall LLC *(3)

Owned by :	% Ownership	Name	Role
	25	DJT Holdings LLC	Member
	75	Trump Family Members	Member

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476 ***Wollman Rink Operations LLC***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

477 ***YORKTOWN REAL ESTATE LLC (F/K/A Yorktown Development Associates LLC) *(3)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

478 ***HWA 555 Owners, LLC***

Owned by :	% Ownership	Name	Role
	100	Hudson Waterfront Associates I, L.P.	Partner

479 ***1290 AVENUE OF THE AMERICAS, A TENANCY-IN-COMMON***

Owned by :	% Ownership	Name	Role
	52	HWA 1290 III LLC	Partner
	20.2	HWA 1290 IV LLC	Partner
	27.8	HWA 1290 V LLC	Partner

480 ***Trump Management Inc.***

Owned by :	% Ownership	Name	Role
	25	The Donald J. Trump Revocable Trust	Shareholder
	75	Trump Family Members	Shareholder

481 ***HWA 1290 III LLC *(1)***

Owned by :	% Ownership	Name	Role
	100	Hudson Waterfront Associates III, L.P.	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	1290 Avenue of the Americas	52.00%	Partner

482 ***HWA 1290 IV LLC *(1)***

Owned by :	% Ownership	Name	Role
	100	Hudson Waterfront Associates IV, L.P.	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	1290 Avenue of the Americas	20.20%	Partner

483 ***HWA 1290 V LLC *(1)***

Owned by :	% Ownership	Name	Role
	100	Hudson Waterfront Associates V, L.P.	Partner

Has ownership interest in :	Entity Name	Ownership	Title
	1290 Avenue of the Americas	27.80%	Partner

486 ***Travel Enterprises Management Inc. *(5)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

490 ***The Donald J. Trump Company LLC *(3)***

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Member

493 ***DT BALI GOLF MANAGER LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	DT BALI GOLF MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

494 ***DT BALI GOLF MANAGER MEMBER CORP *(4)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title

	DT BALI GOLF MANAGER	1.00%	Managing Member

495 *DT BALI HOTEL MANAGER LLC *(4)*

	% Ownership	Name	Role
Owned by :	1	DT BALI HOTEL MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

496 *DT BALI HOTEL MANAGER MEMBER CORP *(4)*

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	DT BALI HOTEL MANAGER LLC	1.00%	Managing Member

497 *DT BALI TECHNICAL SERVICES MANAGER LLC*

	% Ownership	Name	Role
Owned by :	1	DT BALI TECHNICAL SERVICES MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

498 *DT BALI TECHNICAL SERVICES MANAGER MEMBER CORP *(1)*

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	DT BALI TECHINICAL SERVICES MANAGER LLC	1.00%	Managing Member

499 *DT CONNECT EUROPE LIMITED*

	% Ownership	Name	Role
Owned by :	100	Golf Recreation Scotland Limited	Partner

500 *DT ENDEAVOR I LLC*

	% Ownership	Name	Role
Owned by :	100	The Donald J. Trump Revocable Trust	Member

503 *DT JEDDAH TECHNICAL SERVICES MANAGER LLC *(4)--DISSOLVED 11/15/16*

	% Ownership	Name	Role
Owned by :	1	DT JEDDAH TECHNICAL SERVICES MANAGER MEMBER CORP	Managing Member
	99	Trump, Donald J.	Member

504 *DT JEDDAH TECHNICAL SERVICES MANAGER MEMBER CORP *(4)--DISSOLVED 11/15/16*

	% Ownership	Name	Role
Owned by :	100	Trump, Donald J.	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :	DT JEDDAH TECHINAL SERVICES MANAGER LLC	1.00%	Managing Member

505 *DT LIDO GOLF MANAGER LLC *(4)*

	% Ownership	Name	Role
Owned by :	1	DT LIDO GOLF MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

506 *DT LIDO GOLF MANAGER MEMBER CORP *(4)*

	% Ownership	Name	Role
Owned by :	100	DJT Holdings Managing Member LLC	Shareholder

	Entity Name	Ownership	Title
Has ownership interest in :			

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	Entity Name	Ownership	Title
	DT LIDO GOLF MANAGER LLC	1.00%	Managing Member

507 ***DT LIDO HOTEL MANAGER LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	DT LIDO HOTEL MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

508 ***DT LIDO HOTEL MANAGER MEMBER CORP *(4)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT LIDO HOTEL MANAGER LLC	1.00%	Managing Member

509 ***DT LIDO TECHNICAL SERVICES MANAGER LLC***

Owned by :	% Ownership	Name	Role
	1	DT LIDO TECHNICAL SERVICES MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

510 ***DT LIDO TECHNICAL SERVICES MANAGER MEMBER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT LIDO TECHNICAL SERVICES MANAGER LLC	1.00%	Managing Member

511 ***DT MARKS BALI LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	DT MARKS BALI MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

512 ***DT MARKS BALI MEMBER CORP *(4)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT MARKS BALI LLC	1.00%	Managing Member

513 ***DT MARKS LIDO LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	DT MARKS LIDO MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

514 ***DT MARKS LIDO MEMBER CORP *(4)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT MARKS LIDO LLC	1.00%	Managing Member

515 ***DT TOWER I LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	DT TOWER I MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

516 ***DT TOWER I MEMBER CORP *(4)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

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Reference #

Has ownership interest in :	Entity Name	Ownership	Title
	DT TOWER I LLC	1.00%	Managing Member

517 ***DT TOWER KOLKATA LLC***

Owned by :	% Ownership	Name	Role
	1	DT TOWER KOLKATA MANAGING MEMBER CORP	Managing Member
	99	DTTM OPERATIONS LLC	Member

518 ***DT TOWER KOLKATA MANAGING MEMBER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	DT TOWER KOLKATA LLC	1.00%	Member

519 ***DTTM OPERATIONS LLC***

Owned by :	% Ownership	Name	Role
	1	DTTM OPERATIONS MANAGING MEMBER CORP	Managing Member
	99	DJT Holdings LLC	Member

Has ownership interest in : various entities as indicated elsewhere in this schedule

520 ***DTTM OPERATIONS MANAGING MEMBER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in : various entities as indicated elsewhere in this schedule

521 ***EID VENTURE II LLC *(2)***

Owned by :	% Ownership	Name	Role
	1	EID VENTURE II MEMBER CORP	Managing Member
	99	The Donald J. Trump Revocable Trust	Member

522 ***EID VENTURE II MEMBER CORP *(2)***

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	EID VENTURE II LLC	1.00%	Managing Member

523 ***MOBILE PAYROLL CONSTRUCTION LLC***

Owned by :	% Ownership	Name	Role
	1	MOBILE PAYROLL CONSTRUCTION MANAGER CORP	Managing Member
	99	DJT Holdings LLC	Member

524 ***MOBILE PAYROLL CONSTRUCTION MANAGER CORP *(1)***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings Managing Member LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	MOBILE PAYROLL CONSTRUCTION LLC	1.00%	Managing Member

525 ***THC DC RESTAURANT HOSPITALITY LLC *(1)***

Owned by :	% Ownership	Name	Role
	100	OPO HOTEL MANAGER LLC	Member

528 ***THC JEDDAH HOTEL MANAGER LLC *(4)--DISSOLVED 11/15/16***

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Donald J. Trump	A46 of 47

Reference #

Owned by :	% Ownership	Name		Role
	1	THC JEDDAH HOTEL MANAGER MEMBER CORP		Managing Member
	99	Trump, Donald J.		Member

529 ***THC JEDDAH HOTEL MANAGER MEMBER CORP *(4)--DISSOLVED 11/15/16***

Owned by :	% Ownership	Name		Role
	100	Trump, Donald J.		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	THC JEDDAH HOTEL MANAGER LLC	1.00%	Managing Member	

530 ***C DEVELOPMENT VENTURES LLC *(3)***

Owned by :	% Ownership	Name		Role
	1	C DEVELOPMENT VENTURES MEMBER CORP		Managing Member
	99	DTTM OPERATIONS LLC		Member

531 ***C DEVELOPMENT VENTURES MEMBER CORP *(3)***

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	C DEVELOPMENT VENTURES LLC	1.00%	Managing Member	

532 ***TC MARKS BUENOS AIRES LLC *(4)--DISSOLVED 1/26/17***

Owned by :	% Ownership	Name	Role
	100	TTTT VENTURE LLC	Member

533 ***DT VENTURE I LLC***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

534 ***DT VENTURE I MEMBER CORP *(3)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

535 ***DT VENTURE II LLC***

Owned by :	% Ownership	Name	Role
	100	DJT Holdings LLC	Member

536 ***DT VENTURE II MEMBER CORP *(3)***

Owned by :	% Ownership	Name	Role
	100	DTTM Operations Managing Member Corp	Shareholder

537 ***DT TOWER II LLC *(4)***

Owned by :	% Ownership	Name	Role
	1	DTTM Operations LLC	Member
	99	DT TOWER II MEMBER CORP	Managing Member

538 ***DT TOWER II MEMBER CORP *(4)***

Owned by :	% Ownership	Name		Role
	100	DTTM Operations Managing Member Corp		Shareholder
Has ownership interest in :	Entity Name	Ownership	Title	
	DT TOWER II LLC	99.00%	Managing Member	

539 ***DT ENDEAVOR I MEMBER CORP *(3)***

Owned by :	% Ownership	Name	Role

Filer's Name	Page Number
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Reference #

	100	DTTM Operations Managing Member Corp	Shareholder

540 ***4T HOLDINGS ONE LLC *(3)***

Owned by :	% Ownership	Name	Role
	100	TTTT VENTURE LLC	Member

541 ***4T HOLDINGS TWO LLC *(3)***

Owned by :	% Ownership	Name	Role
	100	TTTT VENTURE LLC	Member

542 ***STORAGE 106 LLC***

Owned by :	% Ownership	Name	Role
	100	The Donald J. Trump Revocable Trust	Member

543 ***T EXPRESS LLC *(5)***

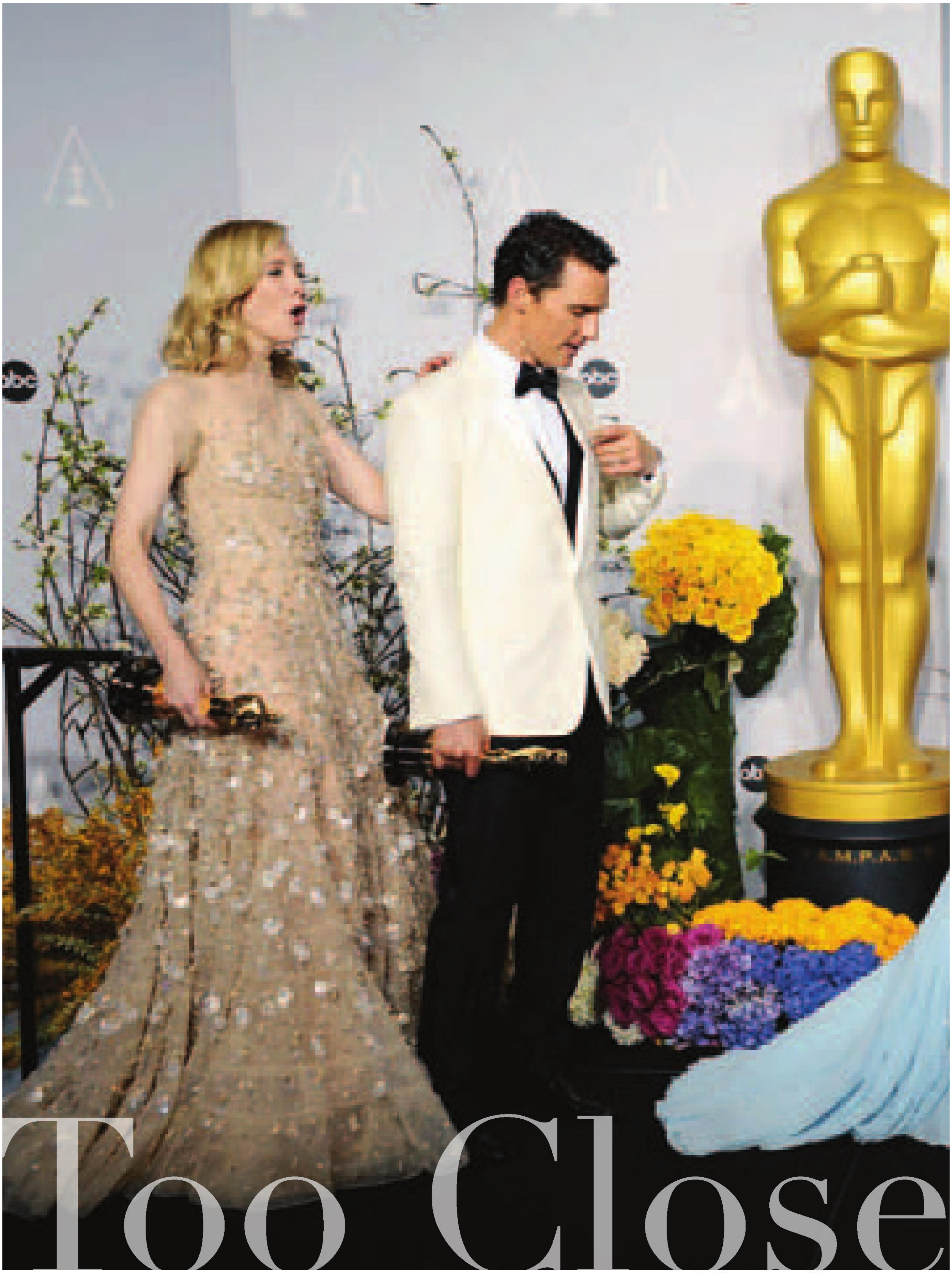
Owned by :	% Ownership	Name	Role
	1	T EXPRESS MANAGER MEMBER CORP	Managing Member
	99	TTTT VENTURE LLC	Member

544 ***T EXPRESS MANAGER MEMBER CORP *(1)***

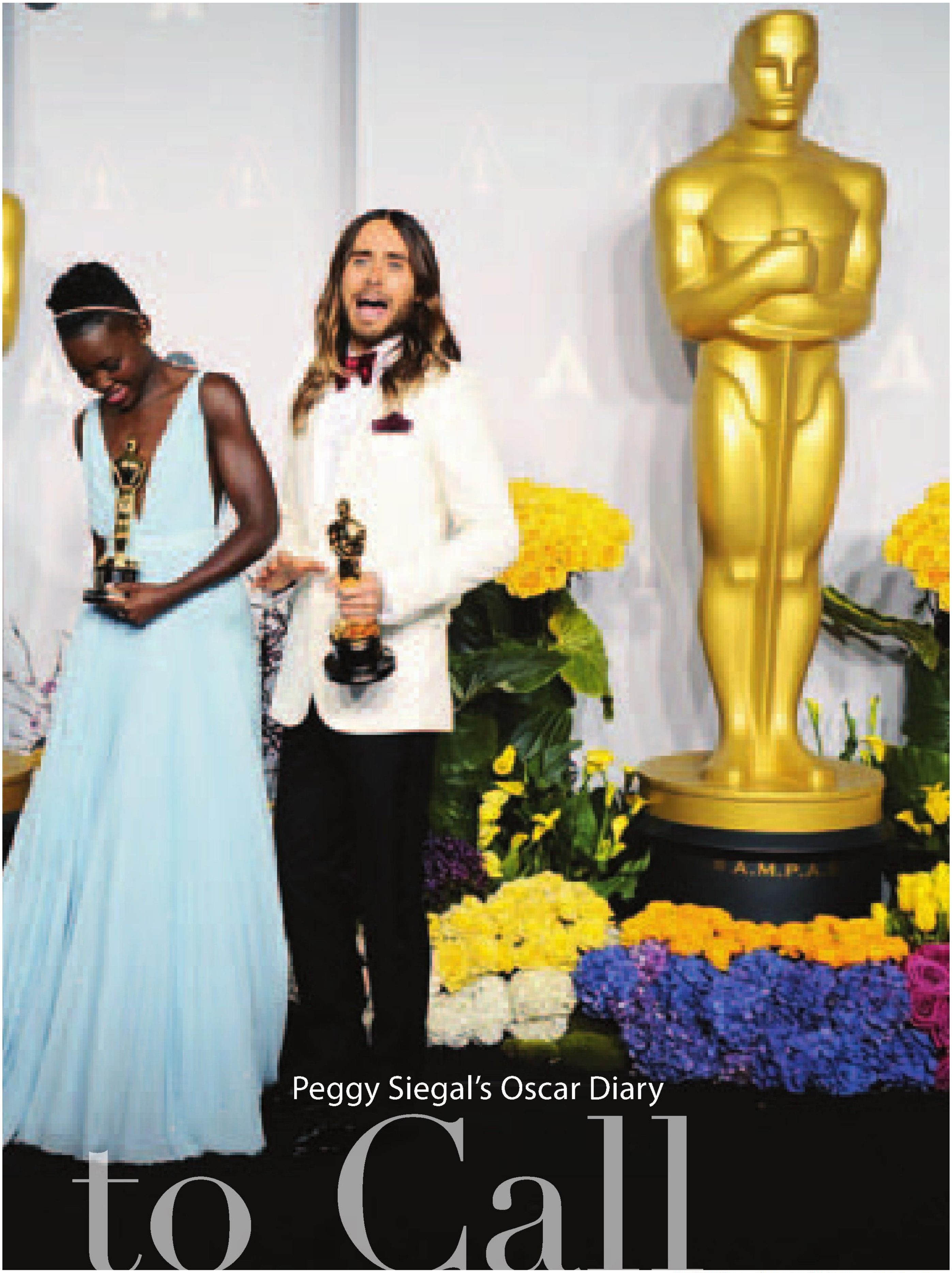
Owned by :	% Ownership	Name	Role
	100	DJT HOLDINGS MANAGING MEMBER LLC	Shareholder

Has ownership interest in :	Entity Name	Ownership	Title
	T EXPRESS LLC	1.00%	Managing Member

Real Estate License Fees (Royalties) are customarily paid to Trump in phases: upon signing of the License Agreement (Upfront Fee), and during various stages of the project's development. Therefore, the amount of License fee income reflected herein is dependent on the phase of that project's development cycle with the majority of payment back-loaded towards project completion.



Too Close



Peggy Siegal's Oscar Diary

to Call

David O. Russell and Spike Jones

Peggy Siegal and Catherine Martin

Suki Waterhouse and Bradley Cooper

This was the year absolutely no one could predict Best Picture for the 86th Academy Awards: not even me, the Oscar witch. This made directors Steve McQueen, Alfonso Cuaron and David O. Russell very crazy. After months of screenings, press conferences, lunches, and parties, publicists and bloggers had to look these three wise men in the eye and say, "We don't have a clue."

Then came the slogan, "It's time." That was Fox Searchlight's last suggestion on *12 Years a Slave* advertisements that subliminally registered in the hearts and minds of voters in the closing days of the studio's low-key campaign.

"It's time." So simple. Says it all. Just like the mantra "Find your voice" that marketing honcho **Harvey Weinstein** came up with three years ago, which drove *The King's Speech* to a win.

This is how you win an Oscar. You pinpoint and connect an exact emotion on the screen to an exact emotion that moves 6,000 voters who are mostly very smart white middle-aged guys.

On Oscar night, host **Ellen DeGeneres** joked to 43 million viewers, "Possibility number one: *12 Years a Slave* wins Best Picture. Possibility number two: You're all racists," answering the question three hours before the win was announced. DeGeneres then gifted sponsor Samsung with the world's most famous selfie and tipped a pizza delivery guy $1,000.

The gripping *12 Years a Slave* won Best Picture, putting Steve McQueen in the history books as the first black director, who is also British, to win an Oscar.

It took the star power of white heartthrob **Brad Pitt** to get the film financed. Taking the small but heroic role as the slave's savior, Brad then took a backseat by shooting WWII film, *Fury* in England, leaving the promotion to others.

Steve McQueen's muse **Michael Fassbender,** who portrayed a sadistic plantation owner, announced he would not campaign. McQueen, **Chiwetel Ejiofor** and an unknown supporting actress, **Lupita Nyong'o**, were left with the herculean task of selling a film about slavery that was guaranteed to embarrass every American. This is why their win was so poignant.

Warner Bros.' wildly popular *Gravity* had skyrocketed to $1 billion globally at the box office. This technical game changer propelled **Sandra Bullock** into outer space with $70 million of backend profits tucked into her space panties. The beloved thriller landed triumphantly with seven Oscars. Alfonso Cuarón, who slaved for four years to create his masterpiece, won two statues for directing and editing and became the first Latino director to win. Although *Gravity*'s producer **David Heyman** did not strike gold, this film was one hell of a second act after producing all those *Harry Potter* films.

In the past four years, David O. Russell has been a serious contender with 25 total nominations for his last three films. Hilarious and astute *American Hustle* garnered 10 nominations, but no wins this year.

The four acting categories were easy to predict. **Cate Blanchett** wowed the minute *Blue Jasmine* was released in July. This instantaneous phenomenon is known as the "**Colin-Firth-Daniel-Day-Lewis** slam dunk."

In November, beautiful darling **Jared Leto** stole everybody's hearts dressed as a woman in *Dallas Buyers Club*. His long hair, penchant for '90s grunge, and rock band 30 Seconds to Mars, made him another instant winner.

Matthew McConaughey's career renaissance became "McConaissance." *Mud*, *Dallas Buyer's Club*, *Wolf of Wall Street*, and finally HBO's

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True Detective collectively earned him Best Actor by December.

The actress who really stole the show on the campaign circuit was eloquent ingénue Lupita Nyong'o, who morphed into a fashion goddess. No one will forget her Best Supporting Actress acceptance speech when she said, "It doesn't escape me for one moment that so much joy in my life is thanks to so much pain in someone else's."

TUESDAY, FEBRUARY 25

I flew to L.A. with some indefinable eye infection that made Olympics reporter Bob Costas' reaction to Botox look attractive. My medical calamity possibly caused by Latisse, which promotes eyelash growth, caused my eyelids to resemble red golf balls and necessitated the wearing of dark glasses. No, I did not look as cool as **Anna Wintour**. I managed to grope my way through Oscar week in couture **Ralph Rucci** gowns and furs and pretend temporary blindness was "just a new look."

On this, my 30th trip to The Beverly Hills Hotel, the famous Polo Lounge had finally been renovated to look exactly like it did 30 years ago so as not to upset the regulars. Each pool cabana now had giant flat screens installed for watching CNN in the sun. Cate Blanchett and **Oprah Winfrey** were the hot Oscar week guests.

I headed over to the *Vanity Fair* Social Club, with its media-friendly "WeWork Hollywood" pop-up lounge. *Vanity Fair* publisher **Ed Menicheschi**, who perfected the Midas touch for masterminding Oscar week sponsorship, greeted me. I participated in a panel discussion of Oscar prognosticators about who would win, hosted by **Michael Hogan** of VF.com with **Anne Thompson** of IndieWire, **Sasha Stone** of Awards Daily, **Pete Hammond** of *Deadline*, **Dave Karger** of Fandango, **Krista Smith** of *Vanity Fair,* and **Kyle Buchanan** of Vulture. If you had put fire to our feet we could not tell you who was winning Best Picture. Like a bunch of nerds all trying to impress each other, we did predict every other category correctly.

The town was crawling with stars. So it wasn't shocking to find the most famous sitting in the middle of a public restaurant drinking and singing oldies by the **Eagles** and **Neil Diamond**. That was the scene at Nobu in L.A. where **Bono** and **U2**, here to perform *Mandela*'s theme "Ordinary Love" at the Oscars, sat drinking sake and **George Clooney**'s Casamigos Tequila with Clooney himself, and **Cindy Crawford** and **Rande Gerber** as they all belted out songs.

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Steve McQueen with Bianca Stigter

Alfonso Cuaron

Jennifer Lawrence

Brad Pitt and Angelina Jolie

Lupita Nyong'o

George left town soon after, was rumored to stop in London to see his new girlfriend, Oxford-educated British barrister **Amal Alamuddin**, and they headed to an exotic, secluded island for a much-deserved vacation. After winning the Oscar last year for producing *Argo*, George had a supporting role in *Gravity*; co-produced *August: Osage County*; and starred in *Tomorrowland*, which Disney will release in 2015. He also produced, wrote, directed, and acted in *The Monuments Men.* Clooney marched to Berlin, Milan, London, and Paris, successfully opening that film.

With his Oscar night absence, not only did he make sure Sandra Bullock got all the credit she deserved, but my hunch is that he was also quietly proud of his good friend Brad Pitt, who produced *12 Years a Slave*, *Gravity*'s biggest competition.

WEDNESDAY, FEBRUARY 26

Action central was now in the lobby of Chateau Marmont where *Vanity Fair*, **Graydon Carter**, and **Benedikt Taschen** honored world-class photographer **Annie Leibovitz** for the launch of her new sumo-sized book, *Annie Leibovitz.*

André Balazs confided that Annie pulled an all-nighter in her pajamas hanging her work. Balazs gave her free reign to install her huge iconic portraits throughout the hallways and first floor suites that were open during the party.

Photographers **Mario Testino** and **Terry Richardson** browsed as Annie walked **Quincy Jones** on a tour of her larger-than-life exhibition. **Sylvester Stallone** gazed at his own portrait taken 20 years ago, his Dorian Gray *Rocky* face now frozen—as in Botox—not the blockbuster animated Disney winner.

Paramount CEO **Brad Grey**'s wife **Cassandra**, **Carole Bayer Sager** and **Lorraine Schwartz** gave a private dinner at Cassandra's Violet Grey store on Melrose. **Jack Nicholson**, seated with model **Erin Wasson** and **Eva Mendes**, held court as superstar **Pharrell Williams** (in his **Vivienne Westwood** "Mountain" hat) and **Anjelica Huston** chatted

Portia de Rossi and Ellen DeGeneres

Leonardi DiCaprio

Sienna Miller

Matthew McConaughey and Camila Alves

Michael Fassbender

Bono

up *Chinatown* producer **Robert Evans**. Dom Perignon sent the champagne, proving that even behind private dinners, one can now spot a sponsor.

THURSDAY, FEBRUARY 27

Oprah Winfrey slipped into *Essence*'s "Black Women in Hollywood" lunch at the Beverly Hills Hotel where **Cheryl Boone Isaacs**, the first black female president of the Academy, was honored with a Trailblazer Award.

President Bill Clinton, in town for the first United4Humanity gala at Sony Studios that night, had lunch at **Larry Gagosian**'s magnificent modern home in Holmby Hills.It was designed by architect A. Quincy Jones, the mentor of **Frank Gehry—**not to be confused with music legend Quincy Jones, the mentor of Michael Jackson. On this night, there were 10 parties. English society decorator and Olympic party animal **Nicky Haslam** flew in from England for the *Vanity Fair* dinner Sunday night and was my escort for this evening. We made it to five parties.

This is how you win an Oscar. You pinpoint and connect an exact emotion on the screen to an exact emotion that moves 6,000 voters . . .

Vanity Fair and Sony's "Toast to *American Hustle*" at Ago on Melrose was our first stop, to pay homage to David O. Russell. Inquiring minds, including hotshot producer **Megan Ellison**, **Amy Adams**, Sony CEO **Michael Lynton** and co-chairman **Amy Pascal**, debated who was winning Best Picture. We still didn't know.

CAA's **Josh Lieberman** was on his way to ICM's **John Burnham**'s Santa Monica home.

Barry Diller and Diane von Furstenberg

Amy Adams and Darren Le Gallo

Lady Gaga

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Al Pacino and **David Mamet** were huddled on a couch as **Spike Lee** and **Meredith Vieira** sat nearby listening.

At Warner Bros.' fancy private dinner for its nominees at the Bel Air Hotel, Nicky and I were greeted by David Heyman. Executives **Sue Kroll** and **Juli Goodwin** brought us over to Sandra Bullock and CEO **Kevin Tsujihara**. Again, everyone whispered, "Who is winning Best Picture?" *Gravity*'s technical wizardry, revered in L.A., was now thought to have the edge.

Spike Jones arrived and was too superstitious to discuss his chances for Best Original Screenplay for *Her*. He won. Don't worry about *Blue Jasmine* fellow nominee **Woody Allen**; he was tap dancing with **Susan Stroman** on Broadway, rehearsing *Bullets Over Broadway*. As a man who doesn't believe in campaigning for awards, he just might show up to collect a few Tonys.

An exhausted Alfonso Cuarón was the last to appear, with girlfriend **Sheherazade Goldsmith**. He was fighting a cold and couldn't wait to get back to real, not reel, life.

Brad Grey's party for Paramount's nominees was in full swing at Spago Beverly Hills. *The Wolf of Wall Street*'s **Marty Scorsese** was huddled in a booth with Brad, marketing maven **Megan Colligan**, producer **Irwin Winkler**, and the ageless **Don Rickles**. **Jonah Hill**'s buddy **Leonardo DiCaprio** had just left, as he was getting a cold too, but he later showed up at the Bel Air, where Marty was staying, to have drinks with Scorsese and Cuarón in the bar.

Nebraska talent **Bruce Dern**, **Will Forte**, **June Squibb**, cinematographer **Phedon Papamichael** and screenwriter **Bob Nelson** relaxed since their grueling nine-month campaign, which had begun at Cannes, was finally over.

Ron Meyer, vice chairman of Universal, had his annual private party at his Malibu home in honor of Graydon Carter. **Barbra Streisand**, **Jim Brolin**, **John Travolta**, **Kelly Preston**, **Diane Lane**, **Robert Downey Jr.**, and **Paul Rudd** mingled under a tent with interior designer **Sandy Gallin** and his new husband **Bryan Fox**. Ron's daughter, jewelry designer **Jennifer Meyer,** came alone. It was nanny's night off, so her husband **Tobey Maguire** stayed home with the kids.

Larry Gagosian gave his 17th annual art opening and dinner, which is always a hot ticket for the rich and hip. This year, art photographer **Taryn Simon** mounted a show titled "Birds of the West Indies" after the seminal taxonomy by ornithologist James Bond. The exhibition also chronicled the women, weapons, and cars depicted in the *Bond* films, in addition to the birds that appear in all 24 movies. Even MGM couldn't dream this up.

Lara Spencer

Dinner followed next door at Mr. Chow's, complete with **Eva** and **Michael Chow**. Simon's filmmaker husband **Jake Paltrow** brought his mother **Blythe Danner** and his sister **Gwyneth**.

Since the Spielbergs and the Paltrows are close family friends, **Kate Capshaw** arrived with **Theo** and **Sasha Spielberg**. Jared Leto came with Terry Richardson. **Adrien Brody**, **Elle Fanning**, **Cameron Diaz**, **John Waters**, and **Robbie Robertson** chowed down. Power collectors **Eli** and **Edythe Broad** and **Bill** and **Maria Bell** split chopsticks.

After dinner, we migrated to Gagosian's home. It was raining, it was windy, and it was cold. Teetotaler Robbie Robertson slipped on wet stone outside the house. He was taken to the hospital that night and endured a two-hour operation on three broken ankle bones. Simultaneously, Nicky Haslam slipped onto a glass table and crashed to the floor. Nicky was fine; the table was a goner—so much excitement for one night.

Greta Gerwig

Bette Midler

FRIDAY, FEBRUARY 28

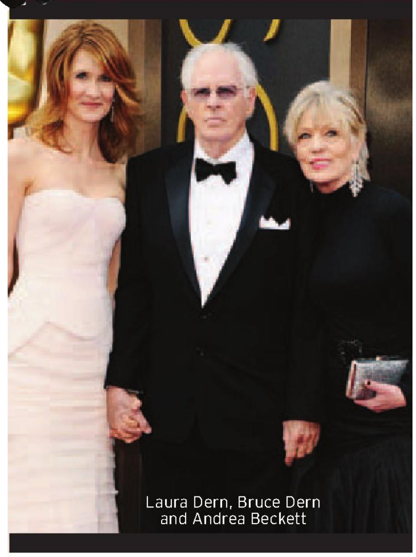
Woke up this morning and the eye problem had reached epic proportions as my left eye was now shut. Found an eye doctor to lance the infected eyelid. He gave me enough drugs to get me to the Publicist Guild lunch at the Beverly Wilshire Hotel. **Jerry Lewis** was receiving a Lifetime Achievement Award from **Carol Burnett**. Thankfully, I only needed one eye to take all that in.

At her uncle's Rodeo Drive store, **Roberta Armani** toasted fellow Italians Marty Scorsese and **Paolo Sorrentino**. The suits Leo wore in *The Wolf of Wall Street* were designed for him by Armani himself.

Paolo Sorrentino was the overwhelming favorite to win Best Foreign Film for his Fellini-inspired *The Great Beauty*, and indeed he won.

Armani's talent turnout was very impressive. Cate Blanchett, who has signed with the designer as the face of his perfume, was there with **Glenn Close**, **Robert DeNiro**, and **Samuel L. Jackson**. All were bedecked in Armani.

Wanda McDaniel, the marketing guru for Armani, was the very first to dress actresses on the red carpet. **Jodie Foster** was her muse and that was 25 years ago.



Laura Dern, Bruce Dern and Andrea Beckett

Graydon Carter and Anna Scott Carter

Naomi Watts

Andre Balazs

Harvey Weinstein and Georgina Chapman

Sandra Bullock

Terry Richardson

I never tire of the overwhelming excitement, throngs of eager press, and screaming fans. Everything boils down to this moment of mass hysteria.

Philomena producers **Gaby Tana** and **Tracey Seaward** invited me to **Steve Coogan**'s home where music man **Alexandre Desplat** and **Jon Hamm** were having beers. Coogan captivated me with conversation of how he and the real **Philomena Lee**, who was a red carpet regular, took their "full disclosure" adoption campaign to the Vatican, meeting The Pope. Only Harvey Weinstein could have pulled off that jaw-dropping marketing miracle.

Traditionally, there are three private agency parties on Friday night—WME, CAA, and UTA. They were hosted by **Ari Emanuel**, **Kevin Huvane**, and **Jim Berkus** and were press free, leaving the stars uninhibited and happy. **Justin Theroux**, about to explode in HBO's miniseries *The Leftovers*, canoodled with **Jennifer Aniston**. Past and present Oscar nominees and winners including **Ben Affleck**, **Matt Damon**, Oprah Winfrey, **Charlize Theron**, **Sean Penn**, **Bradley Cooper**, Jonah Hill, **Alexander Payne**, Steve McQueen, and Alfonso Cuarón were among the evening's migrating tribe.

SATURDAY, MARCH 1

Barry Diller and **Diane von Furstenberg** canceled their annual, highly anticipated outdoor lunch for Graydon Carter at their Coldwater Canyon home atop a steep hill because of impending torrential rain that never came. Three hundred power hungry showbiz executives were sent into a tailspin for an alternative activity.

Luckily, Sony Pictures Classics' and industry icons **Tom Bernard**, and **Michael Barker** took pity on me and invited me to their table at the Independent Spirit Awards under a wobbly tent that billowed with the wind in Santa Monica.

Bob Balaban and I headed to the 6th annual Chanel-sponsored dinner hosted by the debonair **Charles Finch** at Madeo. Girls donning $20k Chanel dresses included **Anne Hathaway**, **Sienna Miller** (with baby daddy **Tom Sturridge**), **Lily Collins**, **Greta Gerwig** and **Poppy Delevingne**. **Jessica de Rothschild** and her director husband **Sacha Gervasi** were in attendance as well as Adrien Brody, David O. Russell, **Oliver Stone**, **Danny Huston**, **Jean Pigozzi**, **Ben Silverman**, **Peter Morton**, and **Elon Musk**.

Harvey and **Bob Weinstein** along with Chopard honored their nominees, including the singers in RADiUS-TWC's Best Documentary winner *20 Feet from Stardom*, with a seated dinner at the Montage Hotel in the "Marchesa Ballroom." (The dining room was rechristened for the evening in honor of Harvey's wife **Georgina Chapman**'s dress label.) After dinner, guests were wowed by a performance from Weinstein's upcoming Broadway musical, *Finding Neverland*, based on their Oscar-nominated film about Peter Pan creator J. M. Barrie. Celebrities Bono, U2, **Meryl Streep**, **Julia Roberts**, Oprah Winfrey, **Olivia Wilde** and **Jason Sudeikis**, **Christoph Waltz**, and **Taylor Swift** gave *Neverland*'s stars, **Jason Alexander** and **Gary Barlow**, a standing ovation.

SUNDAY, MARCH 2

My Oscar date this year was GMA's glamorous **Lara Spencer**. I arrived, as usual, two hours early at the Dolby Theater in order to plant myself on the mother of all red carpets. Only this year, I was incognito with the dark

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glasses. I greeted each of Lara's interviewees as if they were coming to my house for dinner. I never tire of the overwhelming excitement, throngs of eager press, and screaming fans. Everything boils down to this moment of mass hysteria. It's always humbling to stand among the entertainment giants, wish them luck and have them nervously smile back. It's the bittersweet finale when all of the campaigning is over and you think you won't see them until their next movie. It's like the last day of camp.

I was now dateless and alone as Lara Spencer went home suffering from a sore throat.

Those in the know always hang out at the downstairs bar during the broadcast where the sound is turned up on the flat screens. This year, Cate Blanchett's husband theater impresario **Andrew Upton** bought me free drinks. I hung out with Cate, her CAA agent **Hylda Queally**, the adorable skinny **Sally Hawkins** in a heavily beaded **Valentino** gown, **Julia Roberts**, and Tom Bernard and Michael Barker who have 140 career nominations and 32 wins.

After reassuring Blanchett that her stupendous pale beaded Armani Privé gown was the best of the other girls' pale dresses and that her Oscar would pop against it, she went on stage to win.

While I was at the Oscar broadcast, 160 VIPs at Graydon Carter's annual Oscar viewing dinner were getting ready for the rush of a thousand more party guests. Five hundred limos were on the way. Those who watched the awards from the beige, circular dining room were Graydon's friends including: **Sofia Vergara**, **Tom Ford**, **Carolina Herrera**, **Bruce Weber**, **Allen Grubman**, **Bob Colacello**, **Judd Apatow**, **Jeff Klein** and **John Goldwyn**, **Rupert Murdoch**, **Steve Newhouse**, **Les Moonves**, and **Jimmy Buffet.**

I ran through the Governor's Ball and found **Bryan Lourd** and Fox's beloved leader **Jim Gianopulos**, ushered by Fox Searchlight's **Michelle Hooper**, sitting at Brad Pitt's empty table because everyone else was still in the press room doing interviews.

I arrived at the *Vanity Fair* party at its new location, 8680 Sunset Boulevard, a parking lot that was transformed into an airy glass dome. I stood in a corner, ravenously inhaling my In-n-Out burger with ketchup dripping down my chin and of course, Graydon—the adored maestro of the week—came up and so sweetly wanted to know how I was doing. It's a little difficult to respond with a mouthful of food behind dark glasses.

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Anne Hathaway and Jared Leto

Charlize Theron

The stars were huddled together in groups, air kissing and congratulating each other. **Bill Murray**, Lupita Nyong'o, **Jennifer Lawrence**, **Naomi Watts**, **Idina Menzel**, **Sarah Paulson**, **Bette Midler** and **Lady Gaga** owned the dance floor; Jared Leto passed his Oscar around so much he dropped it and it now sports a little dent in the head; pregnant **Kerry Washington** ate for two; and the **Janes—Fonda** and **Buffet**—huddled on a couch, while *The Great Gatsby*'s production and costume designer, and wife of director **Baz Luhrmann**, **Catherine Martin** and I posed with her two Oscars. (Including the two she won for *Moulin Rouge*, she now has four).

Even **Madonna** has sponsors now. The material girl—blinding in 1,000 carats of **Neil Lane**'s diamonds—hosted her seventh annual awards bash at her manager **Guy Oseary**'s home with Gucci. Originally super secret, the party is now a headline on Page Six. Madonna made her best effort to cream off the stars from Graydon's party.

In attendance were **Paul McCartney**, **Tom Brady** and **Gisele Bündchen**, newly engaged **Ashton Kutcher** and **Mila Kunis**, **Serena Williams**, **Prince**, and **Pink**. Madonna closed out her own party by breakdancing with her kids and **Miley Cyrus**, and spinning records until 7 a.m. for Matthew McConaughey.

Madge, short for majesty, would rather die than entertain press, let alone an adorable publicist like *moi*. Last year, ever so curious, I was brought as a guest of a guest only to be frogmarched to the door by Oseary, the furious host himself. Dear readers, I did this for you. It has taken me a year to admit—I was too socially traumatized to report my investigative failure. I now realize that I was just a pawn for Oseary's A-list purity for the night. His own rock status had been boosted by signing Bono and U2. Thank God my social stock is still otherwise intact. The week before the Oscars, the real **Oscar—de la Renta**—had invited me to his beachfront paradise in the Dominican Republic with **Lord** and **Lady Astor**. In June, the **Duke** and **Duchess of Marlborough** are expecting me at Blenheim Palace. So much for not making the cut at Madonna's.

Once again, I scored a ride home on a friend's plane where my dark glasses fit right in. Passengers received an email that morning requesting "no jeans." I thought this was a bizarre fashion edict, only to find out the indigo dye in denim bleeds onto the jet's white leather chairs.

As a closing to my 10th annual Oscar diary, I can sum up this year's race as one of intense emotions and euphoric pride for our love of what Americans do best: making the most wonderful and culturally enlightening movies that entertain the world. On to Cannes!✦

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May 19, 2008

VIA FACSIMILE [redacted]

CONFIDENTIAL

Honorable Mark Filip
Office of the Deputy Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Judge Filip:

In his confirmation hearings last fall, Judge Mukasey admirably lifted up the finest traditions of the Department of Justice in assuring the United States Senate, and the American people, of his solemn intent to ensure fairness and integrity in the administration of justice. Your own confirmation hearings echoed that bedrock determination to assure that the Department conduct itself with honor and integrity, especially in the enforcement of federal criminal law.

We come to you in that spirit and respectfully ask for a review of the federal involvement in a quintessentially state matter involving our client, Jeffrey Epstein. While we are well aware of the rare instances in which a review of this sort is justified, we are confident that the circumstances at issue warrant such an examination. Based on our collective experiences, as well as those of other former senior Justice Department officials whose advice we have sought, we have never before seen a case more appropriate for oversight and review. Thus, while neither of us has previously made such a request, we do so now in the recognition that both the Department's reputation, as well as the due process rights of our client, are at issue.

Recently, the Criminal Division concluded a very limited review of this matter at the request of U.S. Attorney Alex Acosta. Critically, however, this review deliberately excluded many important aspects of this case. Just this past Friday, on May 16, 2008, we received a letter from the head of CEOS informing us that CEOS had conducted a review of this case. By its own admission, the CEOS review was "limited, both factually and legally." Part of the self-imposed limitation was CEOS's abstention from addressing our "allegations of professional misconduct by federal prosecutors"—even though such misconduct was, as we contend it is, inextricably intertwined with the credibility of the accusations being made against Mr. Epstein by the United States Attorney's Office in Miami ("USAO"). Moreover, CEOS did not assess the terms of the Deferred Prosecution Agreement now in effect, nor did CEOS review the federal prosecutors' inappropriate efforts to implement those terms. We detail this point below.

By way of background, we were informed by Mr. Acosta that, at his request, CEOS would be conducting a review to determine whether federal prosecution was both appropriate and, in his words, "fair." That is not what occurred. Instead, CEOS has now acknowledged that we had raised "many compelling arguments" against the USAO's suggested "novel application" of federal law in this matter. Even so, CEOS concluded, in minimalist fashion, that "we do not see anything that says to us *categorically* that a federal case should not be brought" and that the U.S. Attorney "would not be *abusing his prosecutorial discretion* should he authorize federal prosecution of Mr. Epstein" thus delegating back to Mr. Acosta the decision of whether federal prosecution was warranted (emphasis added). Rather than assessing whether prosecution would be *appropriate*, CEOS, using a low baseline for its evaluation, determined only that "it would not be impossible to prove . . ." certain allegations made against Mr. Epstein. The CEOS review failed to address the significant problems involving the appearance of impermissible selectivity that would necessarily result from a federal prosecution of Mr. Epstein.

We respect CEOS's conclusion that its authority to review "misconduct" issues was precluded by Criminal Division practice. We further respect CEOS's view that it understood its mission as significantly limited. Specifically, the contemplated objective was to determine whether the USAO would be abusing its discretion by bringing a federal prosecution rather than making its own de novo recommendations on the appropriate reach of federal law. However, we respectfully submit that a full review of all the facts is urgently needed at senior levels of the Justice Department. In an effort to inform you of the nature of the federal investigation against Mr. Epstein, we summarize the facts and circumstances of this matter below.

The two base-level concerns we hold are that (1) federal prosecution of this matter is not warranted based on the purely-local conduct and the unprecedented application of federal statutes to facts such as these and (2) the actions of federal authorities are both highly questionable and give rise to an appearance of substantial impropriety. The issues that we have raised, but which have not yet been addressed or resolved by the Department, are more than isolated allegations of professional mistakes or misconduct. These issues, instead, affect the appearance and administration of criminal justice with profound consequences beyond the resolution in the matter at hand.

* * *

In a precedent-shattering investigation of Jeffrey Epstein that raises important policy questions—and serious issues as to the fair and honorable enforcement of federal law—the USAO in Miami is considering extending federal law beyond the bounds of precedent and reason. Federal prosecutors stretched the underlying facts in ways that raise fundamental questions of basic professionalism. Perhaps most troubling, the USAO in Miami, as a condition of deferring prosecution, required a commingling of substantive federal criminal law with a proposed civil remedy engineered in a way that appears intended to profit particular lawyers in private practice in South Florida with personal relationships to some of the prosecutors involved. Federal prosecutors then leaked highly sensitive information about the case to a New York Times reporter.[1] The immediate result of this confluence of extraordinary circumstances is an onslaught of civil lawsuits, all save one brought by the First Assistant's former boutique law firm in Miami.

The facts in this case all revolve around the classic state crime of solicitation of prostitution.[2] The State Attorney's Office in Palm Beach County had conducted a diligent investigation, convened a Grand Jury that returned an indictment, and made a final determination about how to proceed. That is where, in our federal republic, this matter should rest. Mr. Epstein faces a felony conviction in state court by virtue of his conduct, and the only reason the State has not resolved this matter is that the federal prosecutors in Miami have continued to insist that we, Mr. Epstein's counsel, approach and demand from the State Attorney's Office a harsher charge and a more severe punishment than that Office believes are appropriate under the circumstances. Yet despite the USAO's refusal to allow the State to resolve this matter on the terms the State has determined are appropriate, the USAO has not made any attempt to coordinate its efforts with the State. In fact, the USAO mandated that any federal agreement would be conditioned on Mr. Epstein persuading the State to seek a criminal punishment unlike that imposed on other defendants within the jurisdiction of the State Attorney for similar conduct.

From the inception of the USAO's involvement in this case, which at the end of the day is a case about solicitation of prostitution within the confines of Palm Beach County, Florida, we have asked ourselves why the Department of Justice is involved. Regrettably, we are unable to suggest any appropriate basis for the Department's involvement. Mr. Epstein has no criminal history whatsoever. Also, Mr. Epstein has never been the subject of general media interest until a few years ago, after it was widely perceived by the public that he was a close friend of former President Bill Clinton.

The conduct at issue is simply not within the purview of federal jurisdiction and lies outside the heartland of the three federal statutes that have been identified by prosecutors—18 U.S.C. §§ 1591, 2422(b), and 2423(b).

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[1] One of the other members of Mr. Epstein's defense team, Jay Lefkowitz, has personally reviewed the reporter's contemporaneous notes.

[2] Although some of the women alleged to be involved were 16 and 17 years of age, several of these women openly admitted to lying to Mr. Epstein about their age in their recent sworn statements.

These statutes are intended to target crimes of a truly national and international scope. Specifically, § 1591 was enacted to combat human trafficking, § 2422 is aimed at sexual predation of minors through the Internet, and § 2423 deals with sex tourism. The nature of these crimes results in multi-jurisdictional problems that state and local authorities cannot effectively confront on their own. However, Mr. Epstein's conduct was purely local in nature and, thus, does not implicate federal involvement. After researching every reported case brought under 18 U.S.C. §§ 1591, 2422(b), and 2423(b), we found that not a single case involves facts or a scenario similar to the situation at hand. Our review of each precedent reflects that there have been no reported prosecutions under § 1591 of a 'john' whose conduct with a minor lacked force, coercion, or fraud and who was not profiting from commercial sexual trafficking. There have likewise been no cases under § 2422(b)—a crime of communication—where there was no use of the Internet, and where the content of phone communications did not contain any inducing or enticing of a minor to have illegal sexual activity as expressly required by the language of the statute. Furthermore, the Government's contention that "routine and habit" can fill the factual and legal void created by the lack of evidence that such a communication ever occurred sets this case apart from every reported case brought under § 2422(b). Lastly, there are no reported cases of violations of § 2423(b) of a person whose dominant purpose in traveling was merely to go to his own home.[3]

Although these matters were within the scope of the CEOS review, rather than considering whether federal prosecution is appropriate, CEOS only determined that U.S. Attorney Acosta "would not be abusing his prosecutorial discretion should he authorize federal prosecution" in this case. The "abuse of discretion" standard constitutes an extremely low bar of evaluation and while it may be appropriate when the consideration of issues are exclusively factual in nature, this standard fails to address concerns particular to this situation, namely the "novel application" of federal statutes. The "abuse of discretion" standard in such pure legal matters of statutory application risks causing a lack of uniformity. The same federal statutes that would be stretched beyond their bounds in Miami have been limited to their heartland in each of the other federal districts. Also, because this case implicates broader issues of the administration of equal justice, federal prosecution in this matter risks the appearance of selectivity in its stretching of federal law to fit these facts.

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[3] Federal prosecution of a man who engaged in consensual conduct in his home that amounted to, at most, the solicitation of prostitution, is unprecedented. Since prostitution is fundamentally a state concern, (*see United States v. Evans*, 476 F.3d 1176, n.1 (11th Cir. 2007) (federal law "does not criminalize all acts of prostitution (a vice traditionally governed by state regulation)")), and there is no evidence that Palm Beach County authorities and Florida prosecutors cannot effectively prosecute and punish the conduct, there is no reason why this matter should be extracted from the hands of state prosecutors in Florida.

In fact, recent testimony of several alleged “victims” contradicts claims made by federal prosecutors during the negotiations of a deferred prosecution agreement. The consistent representations of key Government witnesses (such as [redacted], [redacted], [redacted], and [redacted]) confirm the following critical points: *First*, there was no communication, telephonic or otherwise, that meets the requirements of § 2422(b). For instance, Ms. Gonzalez confirmed that Mr. Epstein never emailed, text-messaged, or used any facility of interstate commerce whatsoever, before or after her one (and only) visit to his home. [redacted] Tr. (deposition) at 30. *Second*, the women who testified admitted that they lied to Mr. Epstein about their age in order to gain admittance into his home. Indeed, the women who brought their underage friends to Mr. Epstein testified that they would counsel their friends to lie about their ages as well. [redacted] stated the following: “I would tell my girlfriends just like [redacted] approached me. Make sure you tell him you’re 18. Well, these girls that I brought, I know that they were 18 or 19 or 20. And the girls that I didn’t know and I don’t know if they were lying or not, I would say make sure that you tell him you’re 18.” [redacted] *Third*, there was no routine or habit of improper communication expressing an intent to transform a massage into an illegal sexual act. In fact, there was often no sexual activity at all during the massage. [redacted] testified that “[s]ometimes [Mr. Epstein] just wanted his feet massaged. Sometimes he just wanted a back massage.” [redacted] [redacted] also stated that Mr. Epstein “never touched [her] physically” and that all she did was “massage[ ] his back, his chest and his thighs and that was it.” [redacted] *Finally*, there was no force, coercion, fraud, violence, drugs, or even alcohol present in connection with Mr. Epstein’s encounters with these women. [redacted] stated that “[Mr. Epstein] never tried to force me to do anything.” [redacted] at 12. These accounts are far from the usual testimony in sex slavery, Internet stings and sex tourism cases previously brought. The women in actuality were not younger than 16, which is the age of consent in most of the 50 states, and the sex activity was irregular and in large part, consisted of solo self-pleasuring.

The recent crop of civil suits brought against Mr. Epstein confirm that the plaintiffs did not discuss any sexually-related activities with anyone prior to arriving at Mr. Epstein’s residence. This reinforces our contention that no telephonic or Internet persuasion, inducement, enticement or coercion of a minor, or of any other individual, occurred. In addition, Mr. Jeffrey Herman, the former law partner of one of the federal prosecutors involved in this matter and the attorney for most of the civil complainants (as described in detail below), was quoted in the Palm Beach *Post* as saying that “it doesn’t matter” that his clients lied about their ages and told Mr. Epstein that they were 18 or 19.

Not only is a federal prosecution of this matter unwarranted, but the irregularity of conduct by prosecutors and the unorthodox terms of the deferred prosecution agreement are beyond any reasonable interpretation of the scope of a prosecutor’s responsibilities. The list of improprieties includes, but is not limited to, the following facts:

- Federal prosecutors made the unprecedented demand that Mr. Epstein pay a minimum of $150,000 per person to an unnamed list of women they referred to as minors and whom they insisted required representation by a guardian ad litem. Mr. Epstein's counsel later established that all but one of these individuals were actually adults, not minors. Even then, though demanding payment to the women, the USAO eventually asserted that it could not vouch for the veracity of any of the claims that these women might make.

- Federal prosecutors made the highly unusual demand that Mr. Epstein pay the fees of a civil attorney chosen by the prosecutors to represent these alleged "victims" should they choose to bring any civil litigation against him. They also proposed sending a notice to the alleged "victims," stating, in an underlined sentence, that should they choose their own attorney, Mr. Epstein would not be required to pay their fees. The prosecutors further demanded that Mr. Epstein waive his right to challenge any of the allegations made by these "victims."

- The Assistant U.S. Attorney involved in this matter recommended for the civil attorney, a highly lucrative position, an individual that we later discovered was closely and personally connected to the Assistant U.S. Attorney's own boyfriend.

- Federal prosecutors represented to Mr. Epstein's counsel that they had identified (and later rechecked and re-identified) several alleged "victims" of federal crimes that qualified for payment under 18 U.S.C. § 2255, a civil remedy designed to provide financial benefits to victims. Only through state discovery provisions did we later learn that many of the women on the rechecked "victim list" could not possibly qualify under § 2255. The reason is that they, themselves, testified that they did not suffer any type of harm whatsoever, a prerequisite for the civil recovery under § 2255. Moreover, these women stated that they did not, now or in the past, consider themselves to be victims.

- During the last few months, Mr. Herman, First Assistant Sloman's former law partner, has filed several civil lawsuits against Mr. Epstein on behalf of the alleged "victims." It is our understanding that each of Mr. Herman's clients are on the

Government's confidential "list of victims." Most of these lawsuits seek $50 million in money damages.[4]

- Assistant U.S. Attorney David Weinstein spoke about the case in great detail to Landon Thomas, a reporter with the *New York Times*, and revealed confidential information about the Government's allegations against Mr. Epstein. The Assistant U.S. Attorney also revealed the substance of confidential plea negotiations.

- When counsel for Mr. Epstein complained about the media leaks, First Assistant Sloman responded by asserting that "Mr. Thomas was given, pursuant to his request, non-case specific information concerning specific federal statutes." Based on Mr. Thomas' contemporaneous notes, that assertion appears to be false. For example, Mr. Weinstein told Mr. Thomas that federal authorities believed that Mr. Epstein had lured girls over the telephone and traveled in interstate commerce for the purpose of engaging in underage sex. He recounted to Mr. Thomas the USAO's theory of prosecution against Mr. Epstein, replete with an analysis of the key statutes being considered. Furthermore, after Mr. Epstein's defense team complained about the leak to the USAO, Mr. Weinstein, in Mr. Thomas' own description, then admonished him for talking to the defense, and getting him in trouble. Mr. Weinstein further told him not to believe the "spin" of Mr. Epstein's "high-priced attorneys," and then, according to Mr. Thomas, Mr. Weinstein forcefully "reminded" Mr. Thomas that all prior conversations were merely hypothetical.

We are constrained to conclude that the actions of federal officials in this case strike at the heart of one of the vitally important, enduring values in this country: the honest enforcement of federal law, free of political considerations and free of the taint of personal financial motivations on the part of federal prosecutors that, at a minimum, raise the appearance of serious impropriety.

We were told by U.S. Attorney Acosta that as part of the review he requested, the Department had the authority, and his consent, to make any determination it deemed appropriate regarding this matter, including a decision to decline federal prosecution. Yet, CEOS's only conclusion, based on its limited review of the investigation, is that U.S. Attorney Acosta would not abuse his discretion by proceeding against Mr. Epstein. Thus, the decision of whether prosecution *is fair and appropriate* has been placed, once again, in U.S. Attorney Acosta's hands.

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[4] As recently as two months ago, Mr. Sloman was still listed publicly as a part of his former law firm. While we assume this was an oversight, Mr. Sloman's identification as part of the firm raises the appearance of impropriety.

In light of the foregoing, we respectfully ask that you review this matter and discontinue all federal involvement so that the State can appropriately bring this matter to closure. We would greatly appreciate the opportunity to meet with you to discuss these important issues. Such a meeting would provide the Department with an opportunity to review the paramount issues of federalism and the appearance of selectivity that are generated by the unprecedented attempts to broaden the ambit of federal statutes to places that they have never before reached. We sincerely appreciate your attention to this matter.

Respectfully submitted,

Kenneth W. Starr
Joe Whitley

Kenneth W. Starr
Kirkland & Ellis LLP

Joe D. Whitley
Alston & Bird LLP

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KIRKLAND & ELLIS LLP

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To:	***Company:***	***Fax #:***	***Direct #:***
Honorable Mark Filip	Office of the Deputy Attorney General United States Department of Justice	[redacted]	[redacted]

From:	***Date:***	***Pages w/cover:***	***Fax #:***	***Direct #:***
Kenneth W. Starr	May 19, 2008	9	[redacted]	[redacted]

Message:

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May 27, 2008

VIA FACSIMILE [redacted]

CONFIDENTIAL

Honorable Mark Filip
Office of the Deputy Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Judge Filip:

This letter briefly supplements our prior submission to you dated May 19, 2008. In that communication, we urgently requested that your Office conduct an independent review of the proposed federal prosecution of our client, Jeffrey Epstein. The dual reasons for our request that you review this matter are (i) the bedrock need for integrity in the enforcement of federal criminal laws, and (ii) the profound questions raised by the unprecedented extension of federal law by the United States Attorney's Office in Miami (the "USAO") to a prominent public figure who has close ties to former President Clinton.

The need for review is now all the more exigent. On Monday, May 19, 2008, First Assistant Jeffrey Sloman of the USAO responded to an email from Jay Lefkowitz informing U.S. Attorney Alex Acosta that we would be seeking your Office's review. Mr. Sloman's letter, which imposed a deadline of June 2, 2008 to comply with all the terms of the current Non-Prosecution Agreement (the "Agreement"), plus new unilateral modifications, on pain of being deemed in breach of that Agreement, appears to have been deliberately designed to deprive us of an adequate opportunity to seek your Office's review in this matter.

The USAO's desire to foreclose a complete review is understandable, given that the Child Exploitation and Obscenity Section ("CEOS") has already determined that our substantive arguments regarding why a federal prosecution of Mr. Epstein is not warranted were "compelling." However, in contradiction to Mr. Sloman's assertion that CEOS had provided an independent, *de novo* review, CEOS made clear that it did not do so. Indeed, CEOS declined to examine several of the more troubling aspects of the investigation of Mr. Epstein, including the deliberate leak to the *New York Times* of numerous highly confidential aspects of the investigation and negotiations between the parties as well as the recent crop of civil lawsuits filed against Mr. Epstein by Mr. Sloman's former law partner.

The unnecessary and arbitrarily imposed deadline set by the USAO was done without any respect for the normal functioning and scheduling of state judicial matters. It requires that Mr. Epstein's counsel persuade the State Attorney of Palm Beach to issue a criminal information to a charge that the State Attorney has not, despite a two year investigation, determined to be appropriate. Mr. Epstein's counsel must also successfully expedite a plea of guilty to this charge on a date prior to July 8, 2008, which is the date presently set by the state court Judge.

Further, the unnecessary deadline is even more problematic because Mr. Epstein's effort to reconcile the state charge and sentence with the terms of the Agreement requires an unusual and unprecedented threatened application of federal law. Thus, it places Mr. Epstein in the highly unusual position of having to demand that the State acquiesce to a more severe punishment than it had already determined was appropriate.

We have attempted to resolve these and other issues through the USAO and CEOS, including raising our concerns about the USAO's inappropriate conduct with respect to this matter. But those avenues have now been shut down. Mr. Sloman's letter purports to prohibit any further contact between Mr. Epstein's defense team and U.S. Attorney Acosta, and instead requires us to communicate with the USAO only though Mr. Sloman's subordinates.

While it pains us to say this, this misguided prosecution from the outset gives the appearance that it may have been politically motivated. Mr. Epstein is a highly successful, self-made businessman and philanthropist who entered the public arena only by virtue of his close personal association with former President Bill Clinton. There is little doubt in our minds that the USAO never would have contemplated a prosecution in this case if Mr. Epstein were just another "John."

U.S. Attorney Acosta previously has stated that he is "sympathetic" to our federalism-related concerns, but he has taken the position that his authority is limited by enforcement policies set forth in Washington, D.C. As expressed in our prior communication to you, we believe that a complete and independent appraisal and resolution of this case most appropriately would be undertaken by your Office—beginning with the rescission of the arbitrary, unfair, and unprecedented deadline that Mr. Sloman demands to have imposed in this case. At the very least, we would appreciate a tolling of the arbitrary timeline imposed on our client by the USAO in order to allow time for your office to consider our request that you undertake a review of this case.

Thank you for your time and attention.

Respectfully submitted,

Kenneth W. Starr

Kenneth W. Starr
Kirkland & Ellis LLP

Joe Whitley

Joe D. Whitley
Alston & Bird LL

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To:	*Company:*		*Fax #:*	*Direct #:*
Honorable Mark Filip	Office of the Deputy Attorney General United States Department of Justice		[redacted]	[redacted]
From:	***Date:***	***Pages w/cover:***	***Fax #:***	***Direct #:***
Kenneth W. Starr	May 27, 2008	3	[redacted]	[redacted]

Message:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 08-80736-CIV-MARRA/JOHNSON

JANE DOE #1 AND JANE DOE #2,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.
_______________________________________/

REPLY IN SUPPORT OF MOTION FOR LIMITED INTERVENTION BY ALAN M. DERSHOWITZ

Alan M. Dershowitz hereby replies in support of his Motion for Limited Intervention (DE 282). Prof. Dershowitz's only interest in joining this case is to strike the false, sensational and irrelevant allegations against him. In its response (DE 290), the government compellingly set forth the many reasons why Jane Does #3 and #4's request, filed over 6 years after the commencement of the CVRA case, should be denied. Jane Doe #3's false allegations against Prof. Dershowitz were not included in her statement to the government, were not made to the FBI when she was initially contacted by that agency, were not included in her civil action against Epstein in 2009, were not included in her recorded interview with her attorneys in 2011 and were not included in her interview with the British press in 2011. These allegations first appeared in Jane Doe #3's Motion for Joinder in December 2014 (DE 279), and therefore have absolutely no relevance as to whether there was a CVRA violation when Epstein and the government executed the Non-Prosecution Agreement in September 2007. The request for limited intervention was initiated to give Dershowitz a voice in the proceedings if and only if the Court allowed the joinder of Jane Doe 3 and her untimely allegations to the underlying CVRA case. If the Court rejects the pending motion for joinder (DE 279), then the Court should strike the scurrilous allegations against Dershowitz, or, alternatively, determine the possible mootness of his Motion for Limited Intervention. Of course, if the Court strikes the allegations against him *sua sponte*, Prof. Dershowitz will withdraw his motion for limited intervention. However, if the Court grants Jane Does #3 and #4's motion for joinder, then Prof. Dershowitz's motion for limited intervention should be granted for such purposes as may be appropriate including submitting a motion to strike or other relief, so as to give him an opportunity to defend himself against these malicious and false allegations. In support of his Reply in Support of his Motion for Limited Intervention, Prof. Dershowitz states as follows:

Despite swearing under oath to her falsehoods about Prof. Dershowitz, Jane Doe #3 struggles to justify her defamations as having any relevance to the issues in this proceeding. Her Response to Prof. Dershowitz's Motion for Limited Intervention (DE 291) (herein "Response") offers no legitimate reason for defaming Prof. Dershowitz in her Joinder Motion, and she has no right to continue to do so in this Court. Strikingly, the Response does not explain why Jane Doe #3, with an obvious financial motive for fabrication of salacious accusations, waited almost seven years to lob a stink bomb into a proceeding in which she has no right to participate. The Response does not account for why Jane Doe #3 never once asserted her accusations about Prof. Dershowitz until a month ago, even though the alleged transgressions supposedly occurred some fifteen years ago. Although neither Jane Doe #3 nor anyone else had previously asserted any improper sexual contact with Prof. Dershowitz, now Jane Doe #3 cynically exploits the yoke of victimhood to victimize others.

At bottom, Jane Doe #3's Response is nothing but a paper-thin pastiche of conspiracy theory and outright misrepresentation that crumbles upon examination. Invocations of the Fifth Amendment by nonparty witnesses in response to innocuous questions about Prof. Dershowitz are said to take on a "sinister cast"; yet these same witnesses invoked their right against self-incrimination to almost every question asked of them, including their parents' names. Prof. Dershowitz, as Epstein's former legal counsel, is one of hundreds of people listed in an address book purloined by Jeffrey Epstein's criminal butler; yet because Prof. Dershowitz's name is circled in the address book by an unknown person for unknown reasons, the argument is made that Prof. Dershowitz must have sexually abused a minor. The record shows that while Prof. Dershowitz and Jane Doe #3 are both separately mentioned in the flight logs of Mr. Epstein's private plane, they are never listed on the same flight. Plaintiffs, in turn, falsely claim that somehow Prof. Dershowitz single-handedly orchestrated the destruction of logs without any evidence of ability or possibility to do so. The increasingly unfounded accusations and insults are both sad and irresponsible.

It is precisely this toxic mix of irrelevancy, malicious falsehood, and empty accusation that justifies Prof. Dershowitz's intervention to, at least, strike the allegations against him. Jane Doe #3 never had any need to drag Prof. Dershowitz into this action besides to wrongfully use his good name and international stature to stir up media interest in her filing. This is impertinence, plain and simple, and it has no place in this Court. Prof. Dershowitz therefore urges the Court to either allow him to intervene to strike Jane Doe #3's defamatory allegations or deny Jane Doe #3's Joinder Motion so she is no longer afforded the ability to use the docket of this Court to defame others without being held accountable and strike these allegations from the record.

I. Jane Doe #3's Continued Smears of Prof. Dershowitz Demonstrate His Need to Intervene

Jane Doe #3 and her counsel's actions over the past month have confirmed that Prof. Dershowitz's request for intervention stands upon dramatically different circumstances than other intervention motions in this case, or any other case for that matter. Simply put, the scope and tenor of their attacks against Prof. Dershowitz differ both in degree and in kind from other reputational muggings conducted in the case before this Court. Nor is there a single reported decision in federal case law in which the vitriol, severity, and length of the attacks against a nonparty approach those levelled against Prof. Dershowitz here. What has become further apparent is that if Jane Doe #3's Motion for Joinder is granted and Prof. Dershowitz is not allowed to intervene, Jane Doe #3 and her counsel will proceed with their attacks against him, all the more emboldened with complete impunity.

While Jane Doe #3 asks to "prove" her allegations against Prof. Dershowitz, she argues paradoxically that he does not have "any direct interest" in defending these allegations. Instead, she directs Prof. Dershowitz to defend the allegations that she makes in a contrived lawsuit filed by her attorneys against him in Broward County Circuit Court for defamation of them. Moreover, the law cited by Prof. Dershowitz, including the *Sackman* and *Penthouse* cases, demonstrates a need and entitlement to intervene to vindicate his legitimate reputational interest that no other party is situated to protect. "The individual's right to the protection of his own good name reflects no more than our basic concept of essential dignity and worth of every human being – a concept at the root of any decent system of ordered liberty…" *Krauser v. Evolution Holdings, Inc.*, 975 F.Supp. 2d 1247, 1260 (S.D. Fla. 2013); quoting *Spencer v. Kemna*, 523 U.S. 1, 24 n. 5 (1998) (Stevens, J., dissenting).

In an effort to cite contrary law to the Court, Jane Doe #3's Response takes remarkable liberties in describing what is claimed to be the law to Court. For example, the Response quotes *Calloway v. Westinghouse Elec. Corp.*, 115 F.R.D. 73, 74 (M.D. Ga. 1987) for the proposition that "a witness' interest in his reputation alone . . . does not constitute the required 'interest relating to the property or transaction which is the subject of the present action' necessary to allow intervention as a matter of right." Yet what is excised from that quote through the ellipses is the most crucial part of the case: "following a finding by a court that he is not credible." *Calloway* actually stands for the proposition that a witness cannot intervene in a case as of right if the Court has found him not credible in one of its orders. This finding has never been made as to Prof. Dershowitz either in this Court, or in hundreds of others in which he has appeared.

II. Jane Doe #3's Lies About Prof. Dershowitz Are Wholly Irrelevant to This Action

Meanwhile, Jane Doe #3 fails to come up with a single credible reason for naming Prof. Dershowitz in her Joinder Motion. First, she claims she needed to drag Prof. Dershowitz's name through the mud to prove that Jane Doe #3 was a victim of sexual abuse by Jeffrey Epstein. Yet, in her Joinder Motion, she states that "[t]he Government was well aware of Jane Doe #3 when it was negotiating the NPA, as it listed her as a victim in the attachment to the NPA." (DE 279 at 6.) If she was already listed as a victim on the NPA, why would they need to prove that further by adding pages of scurrilous allegations against various individuals? And why did they have to mention Prof. Dershowitz by name, when elsewhere they claim that "numerous prominent" individuals also allegedly committed sexual abuse, but keep those alleged figures anonymous? The bad faith against Prof. Dershowitz is apparent[1].

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[1] Similarly, Jane Doe #3's allegations that she named Prince Andrew because of outstanding

Second, Jane Doe #3 claims that she needed to defame Prof. Dershowitz and others in the Joinder Motion because of discovery disputes between the government and Jane Doe #1 and Jane Doe #2. This does not even make sense, legally or factually. Jane Doe #3's right to join in this case has nothing to do with Jane Doe #1 and Jane Doe #2's entitlement to documents in discovery. In fact, the discovery requests that Jane Doe #3 cites to in her Response as purported cover for their sliming of Prof Dershowitz show that their argument is factually bogus. Prof. Dershowitz is mentioned in only two of twenty-five requests for production propounded by Jane Doe #1 and Jane Doe #2. (*See* Jane Doe #1 and Jane Doe #2's First Request for Production to the Government Regarding Information Relevant to Their Pending Action Concern [sic] the Crime Victims Act, at DE 225-1 at 26-38.) Both requests, nos. 8 and 21 seek his communications with the government in his role as Mr. Epstein's defense attorney. There is no issue of complicity or knowledge in any misconduct. Moreover, a fact conveniently omitted by Jane Doe #3 is that Prof. Dershowitz is one of eleven lawyers whose communications Jane Doe #1 and Jane Doe #2 sought in the requests for production. As the Court knows, Prof. Dershowitz had no material connection to this case—as to the merits or as to discovery—before he was dragged in by Jane Doe #3.

Third, Jane Doe #3 claims that the smears against Prof. Dershowitz are relevant to show that Prof. Dershowitz had a motive to negotiate "confidentiality" and "blank check" provisions

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discovery requests regarding her belief that Prince Andrew was somehow involved in "lobbying efforts to persuade the Government to give him a more favorable plea arrangement," and because her allegations against Prince Andrews occurred in London, therefore "affect[ing] foreign commerce" are patently absurd. (DE 291 at 20 and 18, fn. 10.) Because Jane Doe #3's other allegations are replete with allegations of interstate activity and because implications of Prince Andrew's involvement in "lobbying" for the NPA are entirely nonsensical, it is obvious that the inclusion of claims against Prince Andrew were included solely for their intended audience: the media.

into the NPA entered into between the government and Mr. Epstein. Again, this argument makes no sense in the context of this case.[2] The inclusion of certain provisions in the agreement simply has nothing to do with whether the government complied with its obligations under the Crime Victims' Rights Act ("CVRA"). If anything, it is the government's motive that would be at issue—although even that point is doubtful—not the defense attorneys'. Moreover, because the first time Jane Doe #3 made these contemptible allegations against Prof. Dershowitz was in her Motion for Joinder in December 2014, those allegations are irrelevant as to the inquiry of whether Jane Doe #3's rights under the CVRA were violated at the time the NPA was entered. The government confirms that when Jane Doe #3 was contacted by the FBI about this investigation, she clearly "stated that she did not want to be involved in the federal investigation." (DE 290 at 6.) She was not "kept in the dark" as she alleges in her Response. (DE 291 at 25.) Instead, she apparently chose to stay in the dark. Moreover, she did not make any allegations against Prof. Dershowitz at the time the NPA was entered, nor did she made any allegations against Prof. Dershowitz in her action for civil damages in 2009, nor did she make any allegations against Prof. Dershowitz in her tape recorded interview with her attorney in 2011, nor did she make any allegations against Prof. Dershowitz in her interview with the British press in 2011. The first time these allegations surfaced were in connection with Jane Doe #3's Motion for Joinder in this action. The allegations have absolutely no relevance to the underlying issue of whether Jane Doe #3 was "treated with fairness" when the NPA was entered, as the allegations against Prof. Dershowitz did not surface until approximately eight years later.

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[2] Prof. Dershowitz, along with many other lawyers, was involved in negotiating the plea bargain under which Epstein agreed to plead guilty to State charges in exchange for an agreement not to prosecute him federally. However, he was not involved in drafting the text of the NPA. In fact, two other lawyers did the drafting.

Moreover, if the government had any reason to believe that Prof. Dershowitz was involved in any criminal activity they would have immediately demanded his recusal rather than continuing to work with him as one of Epstein's attorneys in negotiating a plea bargain.

Fourth, Jane Doe #3 then makes the facially absurd and libelous claim that somehow Prof. Dershowitz must have drafted and benefited from the "co-conspirators" clause of the NPA. But the link between the need to include these allegations and their ability to rescind the "co-conspirators" clause goes completely unexplained. The allegations are completely gratuitous, as there is no such link. No such claim existed until fabricated by Jane Doe #3 many years after the NPA was signed and fully performed. Additionally, as stated in Prof. Dershowitz's Supplement to his Motion for Limited Intervention, this "co-conspirator" provision "was intended to apply to four alleged co-conspirators, who were named in the original NPA and later redacted at their request…. Alan Dershowitz was never alleged to be a potential co-conspirator." (DE 285 at 4[3].)

Incredibly, Jane Doe #3's counsel, Bradley Edwards, agreed with this reading of the NPA in his Statement of Undisputed Fact during his own personal lawsuit against Jeffrey Epstein (*Jeffrey Epstein v. Scott Rothstein and Bradley J. Edwards*, lawsuit (Case no. 502009-CA-040800)) in Palm Beach County Circuit Court. There, Edwards explained that these co-conspirators were certain individuals who "procured minor females to be molested by Epstein." (DE 291-15 at ¶ 27.) Only now, when convenient as a way to try to justify allegations against Prof. Dershowitz does Edwards argue (on behalf of Jane Doe #3) that the "co-conspirator" provision was actually intended to protect Prof. Dershowitz.

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[3] Moreover, it is unlikely that anyone who had sexual contact with Jane Doe #3, or any other minor involved in the Epstein case, would be considered to be a "co-conspirator." Instead those individuals would be substantive perpetrators, not covered by the agreement.

Fifth, Jane Doe #3 claims that she needed to include Prof. Dershowitz in her filing because her CVRA claim of "unfair" treatment "implicates a fact-sensitive equitable defense which must be considered in the factual context of the entire interface between Epstein, the relevant prosecutorial authorities and the federal offense victims." The "facts" to which this "defense" is sensitive, even if Jane Doe #3 is allowed to intervene, are the interactions between the prosecutors and Jane Doe #3, and not anything pertinent to Prof. Dershowitz personally. Nor are attorney-client communications between Epstein and his counsel at issue, or the proper subject of discovery in this action under any scenario.

III. Jane Doe #3's Efforts to Bolster Her Lies About Prof. Dershowitz Are Remarkably Thin

Setting aside the utter irrelevancy of the allegations against Prof. Dershowitz, having created an international imbroglio by their ill-conceived libels of Prof. Dershowitz, one would expect that Jane Doe #3 would be able to muster at least some credible support for their allegations. Yet the two "incontestable" facts she leads with in support of her claim that Prof. Dershowitz is a serial sex abuser are (1) that Mr. Epstein and Prof. Dershowitz were friends; and (2) Prof. Dershowitz visited Mr. Epstein's house. Of course, these supposedly "incontestable" facts are evidence of nothing.

In the affidavit she submitted to this court, Jane Doe #3's lack of credibility is readily apparent. She has now sworn under oath, repeating a fragrant lie that she had previously sold to a British newspaper: namely that "former President Bill Clinton was present on the island [Jeffrey Epstein's private island] at a time when [Jane Doe #3] was also present on the island." (DE 291-1 at ¶ 53.) In this easily discredited fabrication[4], Jane Doe #3 expounded in imaginative detail about her fictional meeting with former President Clinton, providing an elaborate description about how Mr. Clinton and his secret service detail somehow allowed Ghislaine Maxwell, then a novice helicopter pilot, to fly all of them to Jeffrey's Epstein's private island on Epstein's black helicopter, as well as details about the specific place at the dinner table at which she and Mr. Clinton were seated[5]. *Id.* Jane Doe #3 also gave this British newspaper an account of yet another fictional meeting on the same island, but this time with former vice president Gore and his then wife, Tipper, providing specific details purportedly to enhance the value of her fictional story: "The Gores seemed like a beautiful couple when I met them… Jeffrey [Epstein] didn't ask me to give him a massage… I was planning on voting for him when I turned 18. I thought he was awesome." On information and belief, Prof. Dershowitz represents to the Court

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[4] The name of the publication is intentionally omitted as Jane Doe # 3 reveals her identity

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therein. A copy of the publication, or a link to the article, will be provided to the Court at the Court's request.

[5] The article states, in relevant part: "On one occasion,[Jane Doe #3] adds, Epstein did invite two young brunettes to a dinner which he gave on his Caribbean island for Mr. Clinton shortly after he left office. But, as far as she knows, the ex-President did not take the bait. "'I'd have been about 17 at the time,' [Jane Doe #3] says. 'I flew to the Caribbean with Jeffrey and then Ghislaine Maxwell went to pick up Bill [Clinton] in a huge black helicopter that Jeffrey had bought her. She'd always wanted to fly and Jeffrey paid for her to take lessons, and I remember she was very excited because she got her licence around the first year we met. I used to get frightened flying with her but Bill had the Secret Service with him and I remember him talking about what a good job she did. I only ever met Bill twice but Jeffrey had told me that they were good friends. I asked, 'How come?' and he laughed and said, 'He owes me some favours.' Maybe he was just joking but it constantly surprised me that people with as much to lose as Bill and [Prince] Andrew weren't more careful. Bill must have known about Jeffrey's girls… We all dined together that night. Jeffrey was at the head of the table. Bill was at his left. I sat across from him. [], Ghislaine's bonde British assistant, sat at my right. Ghislaine was at Bill's left and at the left of Ghislaine there were two olive-skinned brunettes who'd flown with us from New York. I'd never met them before. I'd say they were no older than 17, very innocent-looking… Maybe Jeffrey thought they would entertain Bill, but I saw no evidence that he was interested in them. He and Jeffrey and Ghislaine seemed to have a very good relationship. Bill was very funny. He made me laugh a few times. And he and Jeffrey Ghislaine told blokey jokes and the brunettes listed politely and giggled. After dinner I gave Jeffrey an erotic massage. I don't remember seeing Bill again on the trip but I assume Ghislaine flew him back.'"

that evidence will show that former president Clinton, former vice president Al Gore, and Tipper Gore never set foot on Epstein's private island, and that in all events Jane Doe #3's detailed accounts are not merely preposterous on their face but in fact entirely false and her sworn statement to this court is perjurious.

Indeed, while the points raised above show a complete lack of investigation into the credibility of the woman making these scurrilous allegations[6], what is most remarkable about Jane Doe #3's Response is what it omits. Approximately six years ago, Jane Doe #3 took advantage of the NPA's provisions, sued Mr. Epstein and received a monetary settlement. Ironically, Jane Doe #3 now seeks to overturn the very NPA which required Epstein to waive his right to contest liability by moving to join the instant action which seeks to rescind that very agreement.

Yet, she apparently never once mentioned Prof. Dershowitz's now supposedly systematic sexual abuse of her to the prosecutors or to her own lawyer. No explanation is given for this monumental inconsistency. Nor, despite his supposed status as a co-conspirator in a scheme to cover up an underage sex abuse ring, is there any explanation given for the fact that Prof. Dershowitz was never even investigated—or even mentioned—as a potential suspect. Meanwhile the present case has been proceeding for the last six and a half years, but no explanation has been given for the timing of Jane Doe #3's effort to join this case only last month.

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[6] Prof. Dershowitz reserves the right to promptly file a succinct supplement to this Reply brief with information which he is in the process of confirming presently.

IV. Prof. Dershowitz Immediately Responded to Jane Doe #3's Allegations Against Him by Asking to Defend his Reputation

Jane Doe #3 also argues that Prof. Dershowitz should not be allowed to intervene because "he has declined to defend his reputation in other actions." (DE 279, at 12.) This is demonstrably false. It is without question that the Motion for Joinder filed by Jane Doe #3 on December 30, 2014 (DE 279) was the ***first time*** anyone has ***ever*** alleged that Prof. Dershowitz had any sexual contact with a minor. It necessarily follows that this is the ***first opportunity*** Prof. Dershowitz has had to defend his reputation related to "his involvement in Epstein's offenses." In fact, just six days after these venomous allegations were made, Prof. Dershowitz filed his Motion for Limited Intervention. (DE 282.)

More specifically, Jane Doe #3 argues that when the civil lawsuit was brought by "one of the underage females" against Epstein in 2009 (*Doe v. Epstein*, No. 9:08-80893-KAM (S.D. Fla.), "Dershowitz understood that counsel for many of Epstein's victims believed that mounting evidence pointed toward his role extending beyond merely being an attorney for Epstein." (DE 279 at 13.) This, too, is demonstrably false. Despite this rank and self-serving speculation about what Prof. Dershowitz "understood," there is not one piece of evidence which points to any allegations that he engaged in any sexual contact with any minor, or even observed any criminal activity, prior to the December 30, 2014 Motion for Joinder. Instead, the deposition testimony which Jane Doe #3 points to simply states that Prof. Dershowitz visited Epstein's home (Deposition Testimony of Alfredo Rodriguez at 199, 278, 279, DE 291-18, herein, "Rodriguez Depo. Tr.") Rodriguez specifically testified that he has ***no idea whether Prof. Dershowitz had any contact at all with any female***.

> Q. And did you have any knowledge of why [Dershowitz] was visiting there?
> A. No ma'am.
> …
> Q. And do you have any idea whether or not Mr. Dershowitz was also receiving massages?
> A. I don't know, Ma'am.
> …
> Q. As to whether any of those women were ever associated with Mr. Dershowitz would it be a correct statement that you have absolutely no knowledge?
> A. I don't know, sir.
> …
> Q. Okay. Were you in any way attempting in your response to Ms. Ezell to imply that Mr. Dershowitz had a massage by one of these young ladies?
> A. I don't know, sir.
>
> Q. You have no knowledge?
> A. No, sir.

(Rodriguez Depo. Tr. at 279, 280, 385, 386.) To be sure, Rodriguez does testify that Prof. Dershowtiz was at Epstein's home when young females were present at the home – an allegation which Dershowitz strenuously denies. However, ***Rodriguez did not testify that Prof. Dershowitz saw, interacted with, or touched any of these females***. Instead, when asked what Prof. Dershowitz did "while those girls were at the house," Rodriguez answered "He will read a book with a glass of wine by the pool, stay inside." (Id. at 426, 427.) When asked if Prof. Dershowitz ever even spoke to any of the girls, or "even knew that they were there" Rodriguez answered "I don't know." (Id. at 427.) This is consistent with the fact that Epstein's home is very large and has separate closed-off quarters where Epstein resided. Prof. Dershowitz never stepped into these private quarters.

Jane Doe #3 also relies upon the September 8, 2009 deposition testimony of Mr. Juan Alessi to "corroborate" Jane Doe #3's sensational and false allegations regarding Prof. Dershowitz. However, a more complete examination of that testimony reveals that ***Alessi did not make any allegations of any wrong doing by Dershowitz***. (See, DE 291-17, hereinafter

"Alessi Depo. Tr.") Alessi testified that he saw "many celebrities" at the house… [including] a very famous lawyer[] that I'm sure you know, Alan Dershowitz, who spend [sic] at the house a couple times." (Alessi Depo. Tr. 70, 71.) However, Alessi made no allegations of improprieties against any of these individuals. Jane Doe #3 asks the Court to infer that because Prof. Dershowitz was at his client's home, he must have participated in nefarious activities. In fact, Prof. Dershowitz's friendship with Epstein consisted of the exchange of academic and intellectual ideas. At most, Alessi testified that Prof. Dershowitz visited Epstein's home and received a massage from an adult massage therapist, which "was a treat for everybody" at the Epstein home. (Id. at 74) ("Q. Did [Dershowitz] have massages sometimes when he was there? A. Yes. A massage was like a treat for everybody. If they want it, we call the massage and they have a massage.") Alessi explains that he was referring to massages performed by adult massage therapists. (Id. at 184) ("Q. All right. And if I understood your testimony is, the ones the – that is, of the massage therapists as you've just described [a hundred, 200 different massage therapists], you saw some men? A. Yes. Q. You saw more women? A. Yes. Q. ***And all of the women, at least from your viewpoint, were 18, 19 or older? A. Yes.***")[7]

Messrs. Alessi and Rodriguez did not allege that Prof. Dershowitz received a massage from any underage females, had any physical contact whatsoever with any underage females, or witnessed anyone engaging in any inappropriate behavior with any underage females. Additionally, despite their allegations to the contrary, it is clear that previous testimony from Rodriguez and Alessi does not corroborate Jane Doe #3's baseless and utterly false affidavit. (DE 291-1.)

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[7] In fact, the only massage Prof. Dershowitz ever received at any of Epstein's homes was from a professional massage therapist who was in her 30's or 40s.

Next, Jane Doe #3 claims that Prof. Dershowitz declined to defend his reputation in the *Edwards v. Epstein* lawsuit (Case no. 502009-CA-040800) in Palm Beach County Circuit Court. (Opp. to Mtn. to Intervene at 13.) In support of this allegation, Jane Doe #3 argues that her attorney in the instant matter, Bradley Edwards (through his attorney Jack Scarola) contacted Prof. Dershowitz to seek his voluntary cooperation in answering questions about Prof. Dershowitz's client, Jeffrey Epstein's conduct. Prof. Dershowitz responded by letter stating

> As you may know, I was Jeffrey Epstein's attorney when he submitted his guilty plea. Accordingly, "any knowledge" I may have in connection with that plea is privileged information. If you would let me know what non-privileged information you would seek from me, I would then be able to decide whether to cooperate.

(DE 291-11.) Dershowitz sent a second letter on or about August 29, 2011 explaining that he has "never personally observed Jeffrey Epstein in the presence of underage females," and asking Edwards' attorney to provide him with any alleged basis for his unfounded belief. Edwards' attorney responded by stating that based on "sworn testimony and private interviews" he had "placed [Dershowitz] in the presence of Jeffrey Epstein on multiple occasions… when Jeffrey Epstein was in the company of underage females subsequently identified as victims." (DE 291 at 13, 14.) Again, no allegations were made at that time by Edwards' attorney, or by anyone else, that Prof. Dershowitz engaged in any inappropriate conduct or witnessed any inappropriate conduct related to Jeffrey Epstein and underage females. Instead, Edwards was incorrectly seeking Prof. Dershowitz's cooperation for a civil suit between Dershowitz's client, Jeffrey Epstein, and Edwards himself. Remarkably, because Prof. Dershowitz did not agree to compromise his ethical obligations to his client, by voluntarily cooperating with Epstein's adversaries, Jane Doe #3 argues that Prof. Dershowitz should not be allowed to intervene in this action[8].

It is clear from the record, however, that Prof. Dershowitz acted immediately to defend himself the first time he was made aware of any such allegations against him. In fact, just six days after Jane Doe #3 filed her Motion for Joinder, which included vicious allegations against him, Prof. Dershowitz filed his Motion for Limited Intervention. (DE 282.) Accordingly, Prof. Dershowitz should be permitted to intervene for the limited purposes of moving to strike these outrageous and impertinent allegations.

V. Jane Doe #3's Reliance on Other's Invocation of the Fifth Amendment is Improper and Wholly Unpersuasive

Without a shred of physical evidence or witness corroboration for Jane Doe #3's fantasies, she relies on invocations of the Fifth Amendment by Epstein as supportive of an adverse inference as to Prof. Dershowitz. Given that Epstein was taking the Fifth Amendment on virtually all questions, and would have responded in the same way had the opposite questions been asked, there is no inference against Prof. Dershowitz to be made from the invocation of the Fifth Amendment by Epstein[9]. Epstein's interest – in declining to answer any questions whatsoever – was his own personal interest and not that of his lawyers, and lacks even minimal relevance. *Coquina Investments v. TD Bank, N.A.,* 760 F.3d 1300, 1310-11 (11th Cir. 2014)(adverse inferences from the fifth amendment invocation by third parties allowed only where inference is "trustworthy under all of the circumstances" including relationship, shared interest and control); *Kontos v. Kontos,* 968 F.Supp. 400, 407-408 (1997) (no adverse inference allowed from invocation of Fifth Amendment by sister of civil defendant in absence of "identity of interests"); *Sebastian v. City of Chicago,* 2008 WL 2875255 *33-34 (N.D. Ill. 2008)(no adverse inference from invocation of Fifth Amendment in absence of close family or business relationship). Similarly, any other witnesses taking the Fifth Amendment and remaining silent to protect themselves are obviously not creating any kind of evidence against Prof. Dershowitz. *See*, *Coquina Investments*, 760 F.3d at 1310 (11th Cir. 2014).

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[8] Jane Doe #3's argument that he has not yet scheduled his deposition in this case, or the recently filed defamation action, is of no moment. At the appropriate time, Prof. Dershowitz will of course, appear for his deposition and testify that Jane Doe #3's allegations as to him are entirely false. This, however, has no bearing as to whether the Court should permit the limited intervention Prof. Dershowitz seeks.

[9] Had Epstein been asked about anyone – from leading government officials to members of the clergy – he would have similarly invoked the Fifth Amendment.

Conclusion

In conclusion, Prof. Dershowitz has no interest in joining this case other than to strike the scurrilous and irrelevant allegations against him. If the Court grants Jane Does #3 and #4 motion for joinder (DE 279), then Prof. Dershowitz's motion for limited intervention should be granted for such purposes as may be appropriate including submitting a motion to strike or other relief, so as to give him an opportunity to defend himself against harmful, defamatory and false allegations of the worse kind. If the Court rejects the pending motion for joinder, then the Court should strike the scurrilous allegations against Dershowitz, or, alternatively, determine the possible mootness of his Motion for Limited Intervention. Of course, if the Court strikes the allegations against him *sua sponte*, Prof. Dershowitz will withdraw his motion for limited intervention.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by Notice of Electronic Filing generated by CM/ECF, on this 2nd day of February, 2015, on all counsel or parties of record on the Service List below.

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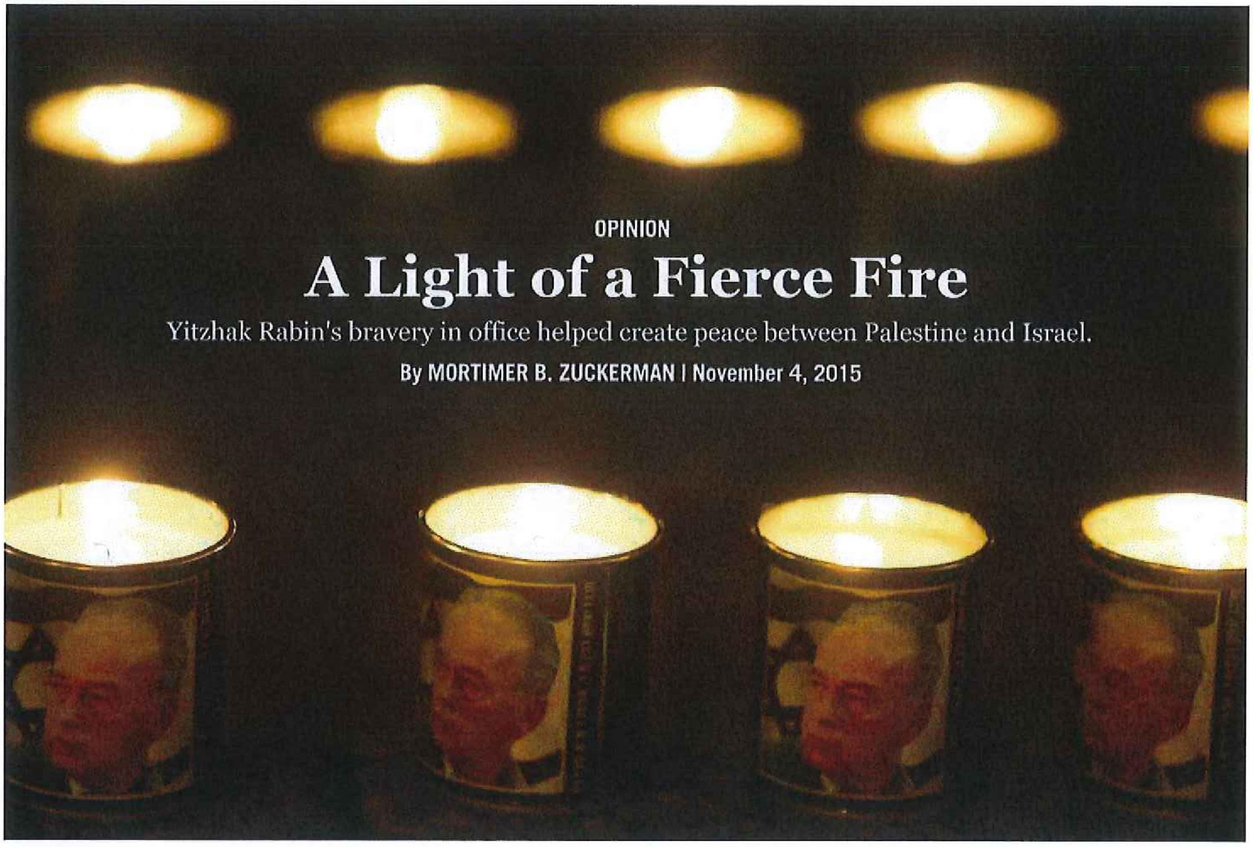

OPINION

A Light of a Fierce Fire

Yitzhak Rabin's bravery in office helped create peace between Palestine and Israel.

By MORTIMER B. ZUCKERMAN | November 4, 2015

By Mortimer B. Zuckerman

Mortimer Zuckerman is the chairman and editor-in-chief of U.S. News & World Report and the publisher of the New York Daily News.

Editor's note: This editorial originally appeared in the November 20, 1995 issue of U.S. News & World Report.

The poet was once asked, "If your house was burning and you could save only one thing, what would you save?" The poet answered, "I would save the fire, for without the fire we are nothing."

It was Yitzhak Rabin's destiny not to be saved from the frenzy of a madman. But bullets cannot so easily extinguish what Rabin's bravery and vision ignited, the fire of Israel's commitment to peace. He might so easily have died in the din of battle, this man who made war when he had to. But he died instead amid the clamor of peace, with the acclaim of a mass peace rally of Israelis still in the air and still in his mind. It would be his last wish that the flame of peace, for which he gave his life, should not be dimmed by anger and despair. His state funeral, for all its sadness, was inspiring as an occasion for the vindication of his hopes, for a new dedication to Israel's security from America and for a demonstration of goodwill by some former Arab enemies.

[**SEE:** Editorial Cartoons on the Middle East]

President Clinton led a bipartisan delegation that included the congressional Republican leadership, former President Bush and former Secretary of State George Shultz. It was more than a respectful gesture of protocol. This was a statement of emotional and psychological support from the most powerful nation in the world to a small, isolated country, living in a perilous neighborhood and in a time of great national trauma: We do more than share your grief, we understand your fears; we will not desert you as you have so many times in your history been deserted. All Americans could take pride in President Clinton's splendid eulogy; in the uniqueness of America's compassion and friendship that extended beyond a calculation of narrow national interest; in the honor of the hand outstretched at a time of need to an ally and friend. The president rose to the moment. The hundreds of thousands of people who lined the roadside and saw the American delegation were clearly moved.

Of equal significance was the roll call of certain Arab countries (excluding Saudi Arabia) and especially the emotional speech of King Hussein of Jordan. His words referring to Yitzhak and Leah Rabin as "my brother" and "my sister," which Muslims usually reserve for one another, and the tears shed by both the king and his queen, made a deep impression on the Israelis for their humanity and ability to overcome the past. Here, clearly, were keepers of Rabin's flame of peace, continuing a line that began with Egypt's late president Anwar Sadat.

He alone, at the time, had the capacity to persuade the divided and wary Israelis to accept a compromise.

It is hard for outsiders to appreciate the effect on Israelis of the worldwide outpouring of sympathy and condolence, with some 80 nations represented at the funeral. The Israelis are a traumatized people. They have for so long been alone, so long believed they could not rely on anyone but themselves, so long expected the world to stay silent in their times of trouble. The extensive response resonates for a people who remember how the world closed its doors to millions of Jews in the 1930s. Their deaths in the Holocaust were but an obscene multiple of the deaths endured in the crusades and pogroms of earlier centuries when the Jews were betrayed by those who had the power to save them.

Israel was to be the end of that vulnerable status of perpetual minority, an end to exile and alienation, and a beginning of a normal and natural form of national existence. Israel was home, the new home in the old country, proclaiming that the Jews had formed a self-reliant community and did not need others to fight their battles for them. Now they had their future defined by their own family; the farmer, the kibbutznik, the jet pilot, the shopkeeper, the schoolteacher could coalesce with a traditional language, with their own bible, their own culture. This self-reliance is a matter of great pride. Jews could look after their own family. When the Jews were kidnapped in Entebbe, Uganda, it was the Israelis who took care of it. A Jewish majority could eliminate Jewish vulnerability, and with their own state, the Israelis could, they thought, be like all other nations and like everyone else. The passion for wanting to be normal extended to the notion that to be accepted, Jews did not have to justify themselves by winning the Moral Man of the Year Award every year – at the cost of their own survival. To be 10 percent more moral than other nations would make them a light unto the world; if they were expected to be 50 percent more moral, they would be dead.

[**READ:** One State Over the Status Quo]

And yet Israel cannot be just another secular country. This very land forces the Jews into a dialogue with their religious past. The land was defined through religion, through the divine promise to Abraham, the covenant with the Father and the covenant with the people of Israel. For many religious Zionists, the victory of the Six-Day War, and the subsequent opening to resettlement of the greater land of Israel, were clear signs that God was guiding the secular Zionist revolution toward the ultimate realization of the prophetic vision of history. That is why, for some religious Jews, admitting the existence of a Palestinian nation whose homeland is the Holy Land is tantamount to violating the integrity of the Jewish people's covenantal identity. But the Jews faced a dilemma. They had come home to find peace and safety, only to find that their neighbors also claimed this tiny piece of land as their home. Even worse, how do you share a home with someone who says: "You have no right to be here"?

It is the great contribution of Yitzhak Rabin that has brought a moral answer to this dilemma. There are those Israelis who emphasize self-reliance and remember Rabbi Hillel's saying, "If I am not for myself, who is for me?" Rabin understood Rabbi Hillel had a second part: "When I am for myself, what am I?" He saw that the Jews could not control 2 million Arabs without frequent resort to a violence that would erode the moral and Jewish character of the state and, with that, its support in the world. He sought a new definition of Israeli strength and normalcy that incorporated not just military power but also moral and economic fortitude. He decided to end the Israeli occupation of Palestine and any pretense that Israel could become a binational state in which one people ruled another.

He was uniquely qualified for this adventure. Those to his political right had the strength but not the will to take a calculated risk for peace. Those to his political left had the will but not the strength. He alone, at the time, had the capacity to persuade the divided and wary Israelis to accept a compromise arrangement with the Palestine Liberation Organization that held great promise for peace but also great risk. But the risk was seen as a risk from the Arabs, not the risk of Jew killing Jew. What the right-wing fanatics were blind to is that their murderous intransigence threatened the state that gave them succor and its necessary acceptance by the world. Without the flame of peace, they would have nothing but bloodshed threatening every Israeli's personal security.

[**ZUCKERMAN:** The Palestinians' Lies Are Fueling the Violence]

The debate over security in Israel is different from the quarrel with the extremists. Many moderate people all across Israel are concerned about giving up land, because for years their leaders told them this land was essential to their national security. In Israel, security decisions are made in the context of the terrible reality that a single Israeli strategic blunder may mean not only military defeat but a genocidal threat to the very existence of the state – one that the world could not forestall, even if it were willing to. Many Israelis ask: Will the peace process be the beginning of a new future or the beginning of the end?

The Israelis are determined to avoid another genocide, this time in Israel. The decision to exchange lawfully captured territory for the promise of peace from those who have constantly threatened violence is fraught with unprecedented risk. Israel will not survive in this neighborhood by superior morality in the absence of superior real strength. Arab moderation is in direct proportion to Israeli strength. If the Arabs could defeat Israel, who could doubt that sooner or later they would try?

Can Shimon Peres, a durable politician less trusted by Israelis, lead the people in pursuit of Rabin's twin goals of peace and security? He is a consummate international diplomat and served with great distinction as prime minister a decade ago. His ardent desire for peace may be part of his problem, for many people believe he is too eager to cut a deal, too dovish and not skeptical enough about security issues, too wrapped up in his own ambitions. So his challenge is to relieve the worries of Israelis as well as meet the needs of the Palestinians.

In this effort, American support is crucial. Rabin said he was elected to take risks for peace. President Clinton said, "If that is your goal, I will do my best to minimize the risks you must take." That is the fire of friendship and support that will enable Israel to fulfill what Rabin so bravely began.

'Rabin, The Last Day': Venice Review

Inform

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IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and PAUL G. CASSELL,

Plaintiffs,

vs.

ALAN M. DERSHOWITZ,

Defendant.
_______________________________________/

PLAINTIFFS/COUNTERCLAIM DEFENDANT EDWARDS AND CASSELL'S RESPONSE TO DERSHOWITZ'S MOTION TO DETERMINE CONFIDENTIALITY OF COURT RECORDS

Plaintiffs/Counterclaim Defendants Bradley J. Edwards and Paul G. Cassell, by and through their undersigned attorneys, hereby file this response to Dershowitz's Motion to Determine Confidentiality of Court Records. The records at issue are not confidential, and so the Court should deny Dershowitz's motion in its entirety.

The court records at issue are three court filings by attorneys Edwards and Cassell in which they recite their client's (Mr. Virginia Giuffre's) allegations that she was sexually abused by Dershowitz. These records are hardly "confidential" in this defamation case, where the parties have claims and counterclaims about these sexual abuse Allegations. Rather, these records are an important part of this case, since they not only support the conclusion that Dershowitz abused Ms. Giuffre, but also indisputably establish Edwards and Cassell's strong basis for filing the allegations on her behalf. Moreover, contrary to assertions made in Dershowitz's motion, these documents have never been found to be "confidential" by any other court. And Dershowitz has repeatedly referred to

these documents, not only in defamatory statements broadcast worldwide, but also in his pleadings before this Court and in recent depositions. Indeed, Dershowitz said in his media interviews that he wants "everything to be made public" and implied that Edwards and Cassell had something to hide. Accordingly, Dershowitz has failed to carry his heavy burden to justify sealing these presumptively-public documents.

I. DERSHOWITZ HAS NOT JUSTIFIED SEALING ALLEGED DEFAMATORY RECORDS THAT ARE INTEGRAL TO THIS DEFAMATION CASE.

In his motion, Dershowitz never recounts the heavy burden that he must carry to seal the records at issue. To be sure, Florida Rule of Judicial Administration 2.420 allows for the sealing of "confidential" materials. But the Rule begins by recounting the overarching principle that "[t]he public shall have access to all records of the judicial branch of government, except as provided below." Fla. R. Jud. Admin. 2.420(a). This rule is a codification of the Florida Supreme Court's admonition that a "a *strong presumption of openness* exists for all court proceedings. A trial is a public event, and the filed records of court proceedings are public records available for public examination." *Barron v. Florida Freedom Newspapers, Inc.*, 531 So.2d 113, 118 (Fla. 1988) (emphasis added). In light of this presumption of openness, "[t]he burden of proof in [closure] proceedings shall always be on the party seeking closure." *Id.* To obtain a sealing order, the party seeking sealing must carry a "heavy burden." *Id.*

Remarkably, Dershowitz fails to acknowledge these well-settled principles. More important, he even fails to cite (much less discuss) the limited substantive exceptions to this general principle of access – and which specific exception he believes applies to this case. Accordingly, it is impossible for Edwards and Cassell to respond with precision to his motion.

The exceptions that might arguably be in play in this case permit records to be maintained as confidential in order to:

> (i) Prevent a serious and imminent threat to the fair, impartial, and orderly administration of justice;
> (ii) Protect trade secrets;
> (iii) Protect a compelling governmental interest;
> (iv) Obtain evidence to determine legal issues in a case;
> (v) Avoid substantial injury to innocent third parties;
> (vi) Avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of proceeding sought to be closed;
> (vii) Comply with established public policy set forth in the Florida or United States Constitution or statutes or Florida rules or case law . . . .

Fla. R. Jud. Admin. 2.420(c)(9) (codifying the holding in *Barron v. Florida Freedom Newspapers, Inc.*, 531 So.2d 113 (Fla. 1988)). The only exception that seems to even arguably apply here is exception vi, which itself specifically provides that confidentiality is appropriate only where disclosure is "*not generally inherent* in the specific type of proceeding sought to be closed" (emphasis added). Of course, this lawsuit is a defamation action – involving a defamation claim by Edwards and Cassell and a defamation counterclaim by Dershowitz. Disclosure, discussion, and debate about the defamatory statements at issue lies at the heart of the case. Accordingly, disclosure of these materials is "inherent" in the case itself. The principle that defamatory material in a defamation case cannot be sealed is recognized in *Carnegie v. Tedder*, 698 So.2d 1310 (2d DCA 1997). *Carnegie* involved a claim and counterclaim between two parties (Carnegie and Tedder), one of whom alleged that disclosure of the materials in the records would be harmful to his professional reputation. *Carnegie* recited subsection vi's restriction on release of materials involving a privacy right, but noted that "statements Tedder alleged were defamatory and damaging were allegations in Carnegie's counterclaim for which she seeks damages. These matters were not peripheral to the lawsuit; they were inherent to it." *Id.* at 1312. Of course, exactly the same principle applies here: sexual abuse allegations filed by attorneys Edwards and Cassell for their client Ms. Virginia Giuffre are not peripheral to this lawsuit – they are inherent to it.

To see how "inherent" the sexual abuse allegations are to this lawsuit, the Court need look no further than Dershowitz's counterclaim in this case. Count I of Dershowitz's Counterclaim (styled as "False Allegations in the Joinder Motion") contends that Edwards and Cassell should pay him damages because they "filed a pleading in the Federal Action titled 'Jane Doe #3 and Jane Doe #4's Motion Pursuant to Rule 21 for Joinder in Action' . . . ." Dershowitz Counterclaim at ¶ 14. Dershowitz's Counterclaim then goes on to quote at length from the Joinder Motion. His counterclaim contains, for example, this paragraph recounting the allegations:

> The Joinder Motion then goes on to allege – without any supporting evidence – as follows:
>
> > One such powerful individual that Epstein forced then-minor Jane Doe #3 to have sexual relations with was former Harvard Law Professor Alan Dershowitz, a close friend of Epstein's and well-known criminal defense attorney. Epstein required Jane Doe #3 to have sexual relations with Dershowitz on numerous occasions while she was a minor, not only in Florida but also on private planes, in New York, New Mexico, and the U.S. Virgin

> Islands. In addition to being a participant in the abuse of Jane Doe #3 and other minors, Dershowitz was an eye-witness to the sexual abuse of many other minors by Epstein and several of Epstein's coconspirators. Dershowitz would later play a significant role in negotiating the [Non-Prosecution Agreement] on Epstein's behalf. Indeed, Dershowitz helped negotiate an agreement that provided immunity from federal prosecution in the Southern District of Florida not only to Epstein, but also to "any potential coconspirators of Epstein." Thus, Dershowitz helped negotiate an agreement with a provision that provided protection for himself against criminal prosecution in Florida for sexually abusing Jane Doe #3. Because this broad immunity wouldhave been controversial if disclosed, Dershowitz (along with other members of Epstein's defense team) and the Government tried to keep the immunity provision secret from all of Epstein's victims and the general public, even though such secrecy violated the Crime Victims' Rights Act.

Dershowitz Counterclaim at ¶ 15 (quoting Joinder Motion at 4).

Remarkably, having quoted at length from the Joinder Motion in his Counterclaim in this case, Dershowitz now seeks to have *that very same language* from the Joinder Motion deemed "confidential" and sealed. *Compare* Counterclaim at ¶15 (block quotation above) with Motion to Determine Confidentiality, Exhibit A at 4 (composite exhibit with proposed "confidential" document that includes paragraph beginning "[o]ne such powerful individual that Epstein forced then-minor Jane Doe #3 to have sexual relations with was former Harvard Law Professor Alan Dershowitz, a close friend of Epstein's . . . ."). Dershowitz cannot come before this Court and file a counterclaim seeking damages from Edwards and Cassell for alleged defamatory statements and then ask to have those very same statements placed under seal as "confidential." *See Barron v. Florida Freedom Newspapers*, 531 So.2d at 119 ("although generally protected by one's privacy right, medical reports and history are no longer protected when the medical condition becomes an integral part of the civil proceeding, *particularly when the condition is asserted as an issue by the party seeking closure*" (emphasis added)).

II. JUDGE MARRA'S ORDER IN HIS CASE DOES NOT REQUIRE THAT THE RECORDS BE SEALED IN THIS CASE.

Dershowitz also appears to contend that Judge Marra's order striking some of the materials from the records at issue somehow requires that these stricken materials be kept confidential in this case. Dershowitz's argument misunderstands both the scope of Judge Marra's order and its effect in this case. His argument rests on a truncated – and misleading -- description of the events surrounding Judge Marra's ruling striking certain documents. A more complete description makes clear that Judge Marra has not determined the documents are somehow "confidential" even in the federal Crime Victims' Rights Act case – much less in this separate state defamation action.

Edwards and Cassell filed the federal case pro bono on behalf of two young women who were sexually abused as underage girls by Dershowitz's close personal friend – Jeffrey Epstein. In 2008, Edwards and Casell filed a petition to enforce the rights of "Jane Doe No. 1" and "Jane Doe No. 2" under the Crime Victims' Rights Act (CVRA), 18 U.S.C. § 3771, alleging that the Government had failed to provide them rights with regard to a plea arrangement it was pursuing with Epstein. *Jane Doe No. 1 and Jane Doe No. 2 v. United States*, No. 9:08-cv-80736 (S.D. Fla.). In the course of that case, on October 11, 2011, the victims filed discovery requests with the Government, including requests specifically seeking information about Dershowitz, Prince Andrew, and others. Further efforts from the Government to avoid any discovery followed (*see generally* Docket Entry or "DE" 225-1 at 4-5), ultimately leading to a further Court ruling in June 2013 that the Government should produce documents. DE 189. The Government then produced about 1,500 pages of largely irrelevant materials to the victims (DE 225-1 at 5), while simultaneously submitting 14,825 pages of relevant materials under seal to the Court. The Government claimed that these pages were "privileged" for various reasons, attaching an abbreviated privilege log.

While these discovery issues were pending, in the summer of 2014, Edwards and Cassell, contacted Government counsel to request their agreement to add two additional victims to the case, including Ms. Virginia Giuffre (who was identified in court pleadings as "Jane Doe No. 3"). Edwards and Cassell sought to have her added to the case via stipulation, which would have avoided the need to include any detailed facts about her abuse. Weeks went by and the Government – as it had done on a similar request for a stipulation to add another victim – did not respond to counsel's request for a stipulation. Finally, on December 10, 2014, despite having had four months to provide a position, the Government responded by email to counsel that it was seeking more time, indicating that the Government understood that victims' counsel might need to file a motion with the court on the matter immediately. DE 291 at 3-5. Rather than file a motion immediately, victims' counsel waited and continued to press the Government for a stipulation. *See id.* at 5. Finally, on December 23, 2014 – more than four months after the initial request for a stipulated joinder into the case – the Government tersely indicated its objection, without indicating any reason: "Our position is that we oppose adding new petitioners at this stage of the litigation." *See* DE 291 at 5.

Because the Government now contested the joinder motion, Edwards and Cassell prepared a more detailed pleading explaining the justification for granting the motion. One week after receiving the Government's objection, on December 30, 2014, Ms. Giuffre (i.e., Jane Doe No. 3) and Jane Doe No. 4 filed a motion (and later a corrected motion) seeking to join the case. DE 279 and DE 280. (Note: DE 280 is the first of the three documents Dershowitz seeks to have declared "confidential" in this case.) Uncertain as to the basis for the Government's objection, the motion briefly proffered the circumstances that would qualify the two women as "victims" eligible to assert rights under the CVRA. *See* 18 U.S.C. 3771(e) (defining "crime victim" protected under the Act). With regard to Ms. Giuffre, the motion indicated that when she was a minor, Jeffrey Epstein had trafficked her to Dershowitz and Prince Andrew (among others) for sexual purposes. Jane Doe No. 3 stated that she was prepared to prove her proffer. *See* DE 280 at 3 ("If allowed to join this action, Jane Doe No. 3 would prove the following . . . . "). The motion also provided specific reasons why Jane Doe No. 3's participation was relevant to the case, including the pending discovery issues regarding Dershowitz and Prince Andrew. DE 280 at 9-10 (explaining several reasons participation of new victims was relevant to existing issues).

After the motion was filed, various news organizations published articles about it. Dershowitz also made numerous media statements about the filing, including calling Jane Doe No. 3 "a serial liar" who "has lied through her teeth about many world leaders." http://www.cnn.com/2015/01/06/us/dershowitz-sex-allegation/. Dershowitz also repeatedly called Edwards and Cassell "two sleazy, unprofessional, disbarable lawyers." *Id.* On

January 5, 2015, Dershowitz filed a motion to intervene to argue to have the allegations stricken. DE 282. Dershowitz also argued that Ms. Giuffre had not provided a sworn affidavit attesting to the truth of her allegations. On January 21, 2015, Edwards and Cassell filed a response for Ms. Giuffre and Jane Doe No. 4. DE 291. (Note: This is the second of the three documents Dershowitz seeks to have kept under seal here.) The response enumerated nine specific reasons why Ms. Giuffre's specific allegations against Dershowitz were relevant to the case, including the fact that Ms. Giuffre needed to establish that she was a "victim" in the case, that pending discovery requests concerning Dershowitz-specific documents were pending, and that Dershowitz's role as a defense attorney in the case was highly relevant to the motive for the Government and defense counsel to conceal the plea deal from the victims. DE 291 at 17-26 & n.17. The response included a detailed affidavit from Ms. Giuffre about the sexual abuse she had suffered from Epstein, Dershowitz, and other powerful persons. DE 291-1. On February 6, 2015, Edwards and Cassell filed a further pleading (and affidavit from Ms. Giuffre, *see* DE 291-1) in support of her motion to intervene. (Note: this affidavit is the third of the three documents Dershowitz seeks to have declared confidential.)

On April 7, 2015, Judge Marra denied Ms. Giuffre's motion to join the case. Judge Marra concluded that "at this juncture in the proceedings" details about the sexual abuse she had suffered was unnecessary to making a determination "of whether Jane Doe 3 and Jane Doe 4 should be permitted to join [the other victims'] claim that *the Government* violated their rights under the CVRA. The factual details regarding with whom and where the Jane Does engaged in sexual activities are impertinent to this central claim (i.e., that they were known victims of Mr.

Epstein and the Government owed them CVRA duties), especially considering that the details involve non-parties who are not related to the respondent Government." DE 324 at 5 (emphasis in original). While Judge Marra struck those allegations, he emphasized that "Jane Doe 3 is free to reassert these factual details through proper evidentiary proof, should [the victims] demonstrate a good faith basis for believing that such details are pertinent to a matter presented for the Court's consideration. Judge Marra then denied Ms. Giuffre's motion to join the case, but allowed her to participate as trial witness: "The necessary 'participation' of [Ms. Giuffre] . . . in this case can be satisfied by offering . . . properly supported – and relevant, admissible, and non-cumulative – testimony as needed, whether through testimony at trial . . . or affidavits supported in support [of] the relevancy of discovery requests." DE 324 at 8 (emphasis deleted). In a supplemental order, Judge Marra stated that the victims "may re-refile these documents omitting the stricken portions." DE 325. The victims have recently refiled the documents.

In light of this history, Dershowitz is flatly incorrect when he asserts that "Judge Marra's Order appropriately precludes the unredacted documents from being re-filed in this case on the public docket." Confidentiality Motion at 3. To the contrary, the Order specifically permits factual details about Dershowitz's sexual abuse of Ms. Giuffre to be presented in regard to pertinent matters in the *federal CVRA case*. And certainly nothing in Judge Marra's Order could render those documents confidential in *this state defamation* case, where the central issues swirl around Edwards and Cassell's good faith basis for filing the allegations. Indeed, the order is not binding in any way in this case, because it is res judicata only as to Ms. Giuffre (the moving party in that case), not as to her attorneys Edwards and Cassell. *See Palm AFC Holdings, Inc. v. Palm Beach County*, 807 So.2d 703 (4th DCA 2002) ("In order for res judicata to apply four identities must be present: (1) identity of the thing sued for; (2) identity of the cause of action; (3) identity of persons and parties; and (4) identity of the quality or capacity of the persons for or against whom the claim is made.").

III. EDWARDS AND CASSELL WILL BE PREJUDICED IF THEY ARE BARRED FROM QUOTING FROM THE RECORD WHILE DERSHOWITZ IS PERMITTED TO FREELY REFER TO THEM WHENEVER HE FINDS IT CONVENIENT.

Dershowitz is also incorrect when he asserts that no prejudice will befall Edwards and Cassell if the records are placed under seal. To the contrary, placing the documents under seal would permit Dershowitz to continue to misrepresent and distort what is contained in those records while preventing Edwards and Cassell from correcting those misrepresentations. Dershowitz has repeatedly referred to details in the records when he has found it convenient to do so – treating the records as not confidential in any away. One clear example comes from Dershowitz's recent deposition, where he gratuitously injected into the record a reference to a portion of Ms. Giuffre's affidavit about him watching Ms. Giuffre perform oral sex on Epstein. And then, having injected that gratuitous reference into the record, he proceeded to try to rebut the reference with confidential settlement discussions – but did so by mispresenting what another attorney (David Boies) had said during the settlement discussions. So that the Court may have the full flavor of the exchange, the narrow question to Dershowitz (by attorney Jack

Scarola) and Dershowitz's extended answer are quoted in full – including Dershowitz's reference to the oral sex allegation that he now argues this Court should treat as "confidential":

> Q. [Y]ou [are] aware that years before December of 2014, when the CVRA pleading was filed, that your name had come up repeatedly in connection with Jeffrey Epstein's abuse of minors, correct? . . .
>
> A. Let me answer that question. I am aware that never before 2014, end of December, was it ever, ever alleged that I had acted in any way inappropriately with regard to Virginia [Giuffre], that I ever touched her, that I ever met her, that Ihad ever been with her. I was completely aware of that. There had never been any allegation. She claims under oath that she told you that secretly in 2011, but you have produced no notes of any such conversation. You, of course, are a witness to this allegation and will be deposed as a witness to this allegation. I believe it is an entirely false allegation that she told you in 2011 that she had had any sexual contact with me. I think she's lying through her teeth when she says that. And I doubt that your notes will reveal any such information.
>
> But if she did tell you that, she would be absolutely, categorically lying. So I am completely aware that never, until the lies were put in a legal pleading at the end of December 2014, it was never alleged that I had any sexual contact with Virginia Roberts.
>
> I know that it was alleged that I was a witness to Jeffrey Epstein's alleged abuse and that was false. I was never a witness to any of Jeffrey Epstein's sexual abuse. And I wrote that to you, something that you have falsely denied. And I stand on the record. The record is clear that I have categorically denied I was ever a witness to any abuse, that I ever saw Jeffrey Epstein abusing anybody.
>
> *And -- and the very idea that I would stand and talk to Jeffrey Epstein while he was receiving oral sex from Virginia Roberts, which she swore to under oath, is so outrageous, so preposterous, that even David Boies said he couldn't believe it was true.*
>
> MS. McCAWLEY: I object. I object. I'm not going to allow you to reveal any conversations that happened in the context of a settlement discussion.
>
> THE WITNESS: Does she have standing?

> MS. McCAWLEY: I have a standing objection and, I'm objecting again. I'm not going to
>
> THE WITNESS: No, no, no. Does she have standing in this deposition?
>
> MR. SCOTT: Let's take a break for a minute, okay?
>
> THE WITNESS: I'm not sure she has standing.
>
> MR. SCAROLA: Are we finished with the speech?
>
> MR. SCOTT: No. If he --
>
> MR. SCAROLA: I'd like him to finish the speech so that we can get to my question
> and then we can take a break.
>
> A. So the question -- the answer to your question is --
>
> MR. SIMPSON: Wait a minute. Wait a minute. Wait a minute. Please don't disclose something that she has a right to raise that objection if she wants to.
>
> MR. SCOTT: Exactly.

Deposition of Alan Dershowitz (Oct. 15, 2015) at 93-95 (attached as Exhibit 1); *see also* Deposition of Alan Dershowitz (Oct. 16, 2016) (attached as Exhibit 2) (also containing discussion of Ms. Giuffre's affidavit).

The Court should be aware that within approximately two hours of this exchange, Ms. McCawley (David Boies' law partner) released a statement on his behalf, which stated that Dershowitz was misrepresenting what happened: "Because the discussions that Mr. Boies had with Mr. Dershowitz were expressly privileged settlement discussions, Mr. Boies will not, at least at this time, describe what was actually said. However, Mr. Boies does state that Mr.

Dershowitz description of what was said is not true." Statement of Ms. McCawley on Behalf of David Boies (Oct. 15, 2015).

More broadly, the Court can readily see from this passage how Dershowitz is willing to inject into the record a part of Ms. Giuffre's affidavit whenever it serves his purpose – and, indeed, to characterize the part of the affidavit as "preposterous." But then he asks this Court to place the underlying affidavit under seal, so that the Edwards and Cassell stand accused having filed a "preposterous" affidavit without anyone being able to assess the validity of Dershowitz's attack.

Dershowitz has referred to the court records that he now wishes to have the Court declare confidential not only in his deposition, but also in his widely-broadcast media attacks on Edwards and Cassell. For example, Dershowitz appeared on the British Broadcasting Corporation (the BBC) and was asked about the allegations:

> Well, first of all they were made in *court papers* that they don't even ask for a hearing to try to prove them. They put them in *court papers* in order to immunize themselves from any consequences from a defamation suit. *The story is totally made up,* completely out of whole cloth.
> I don't know this woman. I was not at the places at the times. It is part of a pattern of made up stories against prominent people and world leaders. And the lawyers in recent statement challenged me to deny the allegations under oath. I am doing that. I am denying them under oath, thus subjecting me to a perjury prosecution were I not telling the truth. *I am now challenging them to have their client put these charges under oath* and for them to put them under oath. I am also challenging them to repeat them outside of the context of court papers so that I can sue them for defamation. . . . And I will prove beyond any doubt not only that the story is totally false, but it was knowingly false: that the lawyers and the client *conspired together to create a false story.* That is why I am moving for their disbarment in challenges to be provided to the disciplinary committee.

BBC Radio 4 - Sarah Montague (Jan. 3, 2015) (http://www.bbc.co.uk/programmes/p02g7qbc).

Similarly, Dershowitz appeared on NBC's *Today Show* the morning after Edwards and Cassell made a filing for Ms. Giuffre, to say that the Edwards and Cassell – and Ms. Giuffre – were all "lying" in the court documents:

> Question from Savannah Guthrie: *In legal papers from the lawyers*, they say you've had, in fact, the opportunity to be deposed.
>
> Answer from Alan Dershowitz: They're lying. They're lying.
>
> Question: They show letters in which they offered to depose you.
>
> Answer: And they didn't show my letters in response saying, (a), if you ask me about my legal relationship with Epstein and I'll be happy to answer. . . . And I responded that I would be happy to be deposed if you could give me any indication that I would be a relevant witness . . . . They will be proved – all of them [i.e., Cassell, Edwards, and Ms. Giuffre] – to be categorically lying and *making up this story.* And it will be a terrible thing for rape victims. . . . We [Epstein and Dershowitz] had an academic relationship. I was never in the presence of a single, young, underaged woman. When I was with him, it was with prominent scientists, prominent academics. And they're just – again – lying about this. I never saw him doing anything improper. I was not a participant. I was not a witness.

Today Show, Jan. 22, 2015 (emphases added).

As another example, in *Miami Herald*, Dershowitz called the Joinder Motion that he seeks to have sealed "the sleaziest *legal document* I have ever seen. They [Edwards and Cassell] manipulated a young, suggestible woman who was interested in money. This is a disbarrable offense, and they will be disbarred. They will rue the day they ever made this false charge against me" – i.e., Edwards and Cassell will "rue the day" they ever filed the Joinder Motion. *Miami Herald* (Jan. 3, 2015).

Most remarkably, Dershowitz took the public airwaves to represent that he wanted all of the information surrounding the allegations to "be made public," while implying that Edwards and Cassell had something to hide. For example, on the BBC he claimed that he wanted"everything to be made public":

> Q: Would you encourage that it now be made public?
>
> A: Of course, of course. *I want everything to be made public. I want every bit of evidence in this case to be made public. I want every allegation to be made public.* I want to know who else she's accused of these horrible crimes. We know that she accused Bill Clinton of being on Jeffrey Epstein's island and participating in sex orgy with underage girls. The records of the Secret Service will prove that President Clinton never set foot on that island. So that she lied. Now it's possible to have a case of mistaken identification with somebody like me. It's impossible to have a case of mistaken identification with Bill Clinton.
> My only feeling is that if she has lied about me, which I know to an absolute certainty she has, she should not be believed about anyone else. She's lied clearly about me, she's lied clearly about Bill Clinton. We know that. We know that she's lied about other public figures, including a former prime minister and others who she claims to have participated in sexual activities with. So I think it must be presumed that all of her allegations against Prince Andrew are false as well.
> I think he [Prince Andrew] should clear the air as well.
> If you're squeaky clean and if you have never done anything like this, you must fight back with all the resources available to you. And that's what I will do. I will not rest or stop until the world understands no only that I had nothing to do with any of this, but that she deliberately, with the connivance of her lawyer, lawyers, made up this story willfully and knowingly.

BBC Radio 4 - Sarah Montague (Jan. 3, 2015) (http://www.bbc.co.uk/programmes/p02g7qbc).

In another widely-broadcast interview on CNN, Dershowitz implied that there is no evidence supporting the allegations against him:

> *Ask them [Edwards and Cassell] if they have any evidence* . . . . They're doing it for money. She's getting money for having sold her story. She wants to sell the book. They're trying to get into this lawsuit. They see a pot of gold at the end of the rainbow. They're [Edwards and Cassell] prepared to lie, cheat, and steal. These are unethical lawyers. This is Professor Cassell who shouldn't be allowed near a student. This is Professor Cassell, who is a former federal judge, thank God he no longer wears a robe. He is essentially a crook. He is essentially somebody who's distorted the legal profession. . . . Why would he charge a person with a sterling reputation for 50 years on the basis of the word alone of a woman who is serial liar, who has lied about former Prime Ministers, former Presidents, has lied demonstrably.

CNN Live (with Hala Gorani) (January 5, 2015). Of course, by placing "the evidence" in this case under seal, Dershowitz will be free to continue to try and insinuate that Edward and Cassell – and their client, Ms. Giuffre – had no evidence supporting the allegations against him, even though a mountain evidence strongly support Ms. Giuffre's allegations. See Deposition of Paul Cassell (Oct. 16, 2015) at 61-117 (Exhibit 3); see also Depo of Pual Cassell (Oct. 17, 2015) (Exhibit 4).

CONCLUSION

The Court should deny Defendant/Counterclaim Plaintiff Alan Dershowitz's motion to place documents regarding Ms. Giuffre's allegations against him under seal.

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via E-Serve to all Counsel on the attached list, this 23rd day of November, 2015.

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Exhibit 1

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL
CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and PAUL G.
CASSELL,,

Plaintiffs,

vs.

ALAN M. DERSHOWITZ,

Defendant.
_________________________________/

VIDEOTAPE DEPOSITION OF

ALAN M. DERSHOWITZ

VOLUME 1
Pages 1 through 179

Thursday, October 15, 2015
9:31 a.m. - 4:13 p.m.

Cole Scott & Kissane
110 Southeast 6th Street
Fort Lauderdale, Florida

Stenographically Reported By:
Kimberly Fontalvo, RPR, CLR
Realtime Systems Administrator

people that abused Virginia?

A. I told you I never asked her the question. 11:36:21

Q. Are you aware that years before December 11:36:48
of 2014, when the CVRA pleading was filed, that your name had come up repeatedly in connection with Jeffrey Epstein's abuse of minors, correct?

MR. SCOTT: Objection, form, overly broad. 11:37:16

A. Let me answer that question. I am aware 11:37:17
that never before 2014, end of December, was it ever, ever alleged that I had acted in any way inappropriately with regard to Virginia Roberts, that I ever touched her, that I ever met her, that I had ever been with her. I was completely aware of that. There had never been any allegation.

She claims under oath that she told you 11:37:48
that secretly in 2011, but you have produced no notes of any such conversation. You, of course, are a witness to this allegation and will be deposed as a witness to this allegation. I believe it is an entirely false allegation that she told you in 2011 that she had had any sexual contact with me. I think she's lying through her teeth when she says that. And I doubt that your notes will reveal any such information.

But if she did tell you that, she would be 11:38:24

absolutely, categorically lying. So I am completely aware that never, until the lies were put in a legal pleading at the end of December 2014, it was never alleged that I had any sexual contact with Virginia Roberts.

I know that it was alleged that I was a witness to Jeffrey Epstein's alleged abuse and that was false. I was never a witness to any of Jeffrey Epstein's sexual abuse. And I wrote that to you, something that you have falsely denied. And I stand on the record. The record is clear that I have categorically denied I was ever a witness to any abuse, that I ever saw Jeffrey Epstein abusing anybody. 11:38:46

And -- and the very idea that I would stand and talk to Jeffrey Epstein while he was receiving oral sex from Virginia Roberts, which she swore to under oath, is so outrageous, so preposterous, that even David Boies said he couldn't believe it was true. 11:39:18

MS. McCAWLEY: I object. I object. I'm not going to allow you to reveal any conversations that happened in the context of a settlement discussion. 11:39:40

THE WITNESS: Does she have standing? 11:39:46

MS. McCAWLEY: I have a standing objection 11:39:47
and, I'm objecting again. I'm not going to --

THE WITNESS: No, no, no. Does she have 11:39:49
standing in this deposition?

MR. SCOTT: Let's take a break for a 11:39:51
minute, okay?

THE WITNESS: I'm not sure she has 11:39:54
standing.

MR. SCAROLA: Are we finished with the 11:39:57
speech?

MR. SCOTT: No. If he -- 11:39:58

MR. SCAROLA: I'd like him to finish the 11:39:59
speech so that we can get to my question and
then we can take a break.

A. So the question -- the answer to your 11:40:02
question is --

MR. SIMPSON: Wait a minute. Wait a 11:40:04
minute. Wait a minute. Please don't disclose
something that she has a right to raise that
objection if she wants to.

MR. SCOTT: Exactly. 11:40:13

THE WITNESS: Okay. 11:40:14

MR. SCOTT: Ask your question. 11:40:17

MR. SWEDER: Maybe you want to read back 11:40:20
the last couple of sentences.

Exhibit 2

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL
CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and PAUL G.
CASSELL,,

Plaintiffs,
vs.

ALAN M. DERSHOWITZ,

Defendant.
_______________________________/

CONTINUED VIDEOTAPE DEPOSITION OF

ALAN M. DERSHOWITZ

VOLUME 2
Pages 180 through 333

Friday, October 16, 2015
9:18 a.m. - 12:26 p.m.

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I N D E X

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VIDEOGRAPHER: Going on the record. This is day two of Alan Dershowitz's deposition. The date is October 16, 2015, and the time is approximately 9:18 a.m.

MR. SCAROLA: Would you please reswear the witness.

THE COURT REPORTER: Would you raise your right hand, please?

Do you swear or affirm that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth?

THE WITNESS: Yes.

Thereupon:

ALAN M. DERSHOWITZ

having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. SCAROLA:

Q. Mr. Dershowitz, what is rhetorical hyperbole?

A. Rhetorical means verbal and hyperbole means exaggeration.

Q. Something other than the truth, correct?

A. Truth --

MR. SCOTT: Objection, form, relevancy.

A. Truth has many, many meanings and is a continuum. The Supreme Court has held that rhetorical hyperbole cannot be the basis, for example, of perjury prosecutions or generally of a defamation prosecution.

So it depends on the context. You might just look at the dictionary and probably get a variety of definitions for it.

BY MR. SCAROLA:

Q. Well, what I'm concerned about, Mr. Dershowitz, is not a dictionary definition. I want to know what your understanding of rhetorical hyperbole is.

And do you agree that pursuant to your understanding of rhetorical hyperbole, it is an exaggeration beyond the facts?

MR. SCOTT: Objection, argumentative and compound, three questions.

A. No --

MR. SCOTT: You can answer.

A. -- I would not agree with that definition.

BY MR. SCAROLA:

Q. Okay. Then define it for us, if you would, please.

A. I think I have already.

Q. I'm sorry, I missed the definition. Could you tell us what rhetorical hyperbole is?

MR. SCOTT: Objection, repetitious. He's done it.

A. Why don't we just read back my answer.

BY MR. SCAROLA:

Q. Because I didn't understand it, so I would like you to try to give us a direct response to that question if you're able to.

A. I will repeat exactly what I said. A rhetorical means verbal and hyperbole means some exaggeration of the facts for political or other reasons, but generally it is truthful in a literal sense but perhaps -- it all depends on context.

And if you tell me the context in which I used it, I will be happy to describe what I meant in that context. But I don't think you can really answer a question about what two words put together mean without understanding the context.

Q. Okay. Well, we're going to talk about some context.

Do you recall having been interviewed on CNN Tonight on January 5, 2015?

A. I have no current recollection of --

MR. SCOTT: Do you have a copy of the

transcript of the interview? We'd like to see it.

MR. SCAROLA: That's exactly what I gave you, the photocopy.

MR. SCOTT: We're doing it right now. Maybe we can move on and come back then.

MR. SCAROLA: No, I would like to proceed.

MR. SCOTT: Then let's stop until I get a copy of it. Because he -- I want --

MR. SCAROLA: I don't think that's necessary because your client has told us that he has a superb memory and one of the things I would like to know is what he's able to recall. If he needs to refresh his memory, the transcripts will be here in just a moment, but I don't want to delay going forward.

MR. SCOTT: Do you need the transcript to refresh your memory?

THE WITNESS: Well, I have no memory of what specifically I said on a particular day in a particular interview.

MR. SCOTT: Since you have a copy in front of him, why don't you just show him your copy then? Read the -- ask your question and let him read it.

BY MR. SCAROLA:

Q. Do you recall having been interviewed on CNN Tonight by Don Lemon?

A. Yes, I do.

Q. Do you recall having been interviewed on CNN Tonight by Don Lemon in early January of 2015, where you spoke about matters that have become the subject of this litigation?

A. Yes, I do.

Q. Did you make the following statement during the course of that interview: "As to the airplanes, there are manifests that will prove beyond any doubt that I was never on a private airplane with this woman or any other underage girl"?

MR. SCOTT: You need to see the transcript?

THE WITNESS: No. No.

A. That is a truthful statement. I would repeat it right now. I've reviewed the manifests.

First, I know I was never on the airplane with any underage woman. I know that for a fact. I have absolutely no doubt in my mind about that. And the records that I have reviewed confirm that.

They have Virginia Roberts on a number of airplane flights with Jeffrey Epstein. They have me on a number of flights, none -- let me emphasize, none within the relevant time period, none within the relevant time period. That is, there are no manifests that have me on Jeffrey Epstein's airplane during the time that Virginia Roberts claims to have -- falsely claims to have had sex with me.

So, yes, not only recall making that statement, but I repeat it here today. And it is absolutely true. And it just confirms what I know, and that is that Virginia Roberts made up the entire story.

BY MR. SCAROLA:

Q. Your statement --

MR. SCOTT: What page are you reading from?

MR. SCAROLA: Page 5.

Q. Your statement was that you were never on a private airplane with this woman, which I assume was a reference to Virginia Roberts, correct?

A. It is, yes.

Q. Or any other underage girl?

A. That's right.

Q. All right. How many times --

A. Well, let me be very clear. I have no

idea who was in the front cabin of the airplane with the pilots. Obviously what I intended to say and what I say here now is I never saw an underaged person on an airplane.

Now, when I -- when I flew with Jeffrey Epstein to the launch, my recollection is that there may have been a couple on the plane with their child who was going to see the launch. But that was certainly not the context in which I made the statement.

I never saw any underage, young person who would be the subject or object of any improper sexual activities. Had I seen Jeffrey Epstein ever in the presence of an underage woman in a context that suggested sexuality, I would have, A, left the scene; B, reported it; and, C, never had any further contact with Jeffrey Epstein.

Q. You have also made the statement that you were never on a private airplane with any underage women or any young women, correct?

A. The context was underage women in a sexual context. If it was a -- you know, a four-year-old child being carried by her mother, that would not be included in what I intended to say.

Q. Your sworn testimony yesterday, according

to the transcription, the official transcription of that testimony, was that, quote:

"Let me emphasize that the manifests that do exculpate me do not show me flying with Virginia Roberts, they do not show me flying with any young women."

That was the testimony you gave under oath. Do you stand by that testimony today?

A. The manifests that I saw corroborate my own memory -- my own memory is as clear as could be -- that I never saw any inappropriately aged, underaged women on any airplane to my knowledge that were visible to me at any time that I flew. That is my testimony, yes.

Q. Well, that's not a response to the question that I asked. Is it your testimony today that you never flew on a private airplane with, quote, "any young women"?

MR. SCOTT: Objection, form.

A. By young women, I obviously meant in that context underage women. And underage women in the context of sexuality. And, yes, I -- I stand by that statement.

BY MR. SCAROLA:

Q. All right. So your -- your clarification

of your earlier testimony is that you never saw any young women in a sexual context?

A. That's not clarification. I think that's what I initially said. That's what I initially intended. And that's the way any reasonable -- any reasonable person would interpret what my original testimony was. So I don't believe my original testimony required any clarification.

Q. So what you meant to convey by the statement that you made when you said you never flew with any underage girl or any young women was you never flew with any underage girl or young women in a sexual context?

MR. SCOTT: Objection, form.

BY MR. SCAROLA:

Q. Is that correct?

A. Let me simply repeat the fact and that is, to my knowledge, I never flew on an airplane or was ever in the presence on an airplane with any underage woman who would be somebody who might be in a sexual context. I say that only to eliminate the possibility that some four-year-old was on the lap of a mother or somebody was on the airplane with family members.

But, no, I do not recall -- and I'm very firm about this -- being on an airplane with anybody who I believed could be the subject of Jeffrey Epstein or anyone else's improper sexual activities.

MR. SCAROLA: All right. Let's mark the transcript that we've been referring to as Exhibit Number 1, please. That's the transcript of the television interviews that we'll be discussing.

(Thereupon, marked as Plaintiff Exhibit 1.)

MR. SCOTT: This is actually 2, right? We had one yesterday, an article from the British newspaper?

MR. SCAROLA: No. It was not marked as an exhibit. This is the first exhibit that's been marked.

MR. SCOTT: No, I know that, but I thought we were going to mark that one. Maybe I was -- I asked for that. Okay.

It was an answer and counterclaim about the allegation shown to the witness.

MR. SCAROLA: And Exhibit Number 2 will be the transcript from yesterday's proceedings that I have just referenced.

(Thereupon, marked as Plaintiff

Exhibit 2.)

MR. SCOTT: You don't have a copy of that, do you, of the transcript?

MR. SCAROLA: No. Got sent to you. I assume you have it.

BY MR. SCAROLA:

Q. I'm going to hand you what we'll now mark as Exhibit Number 3.

(Thereupon, marked as Plaintiff Exhibit 3.)

MR. SCOTT: There's no question.

MR. SWEDER: Yes.

BY MR. SCAROLA:

Q. Do you recognize that young woman, Mr. Dershowitz?

A. No.

Q. Never saw her?

A. Not that I know of.

Q. Never flew on an private airplane with her?

A. Not that I know of.

Q. Do you recognize the name Tatiana?

A. I do recall that Jeffrey Epstein had a friend named Tatiana.

Q. That you flew with?

A. I don't remember that I flew with her or not. I may have. But I don't recall necessarily. But I did meet -- I remember meeting a woman named Tatiana. This does not look like Tatiana, like the woman I met.

Q. Okay. So that's a -- that's a different Tatiana?

A. No, I don't know.

MR. SCOTT: Objection, form, argumentative.

A. I have no idea. I do not recognize this woman. She's not familiar to me at all.

I can tell you this: Without any doubt, I never met anybody dressed like this on any airplane or in the presence of Jeffrey Epstein or in any context --

BY MR. SCAROLA:

Q. Did she have --

A. -- related to this case.

Q. -- more clothes on or less clothes on when you met her?

MR. SCOTT: Objection, form. He said he never met her. Misrepresent --

BY MR. SCAROLA:

Q. When you met the woman that you're

referencing, did she have more clothes on or less clothes on than that woman?

A. Every woman that I met in the presence of Jeffrey Epstein was properly dressed, usually in suits and dresses and -- and appropriately covered up. I never met any women in the context of Jeffrey Epstein who were dressed anything like this.

Q. Would you agree that that is a young woman in that photograph?

A. I have no idea what her age is.

Q. So you don't know whether she was underage or overage or a young woman or not a young woman?

A. I don't --

MR. SCOTT: Objection, form.

A. -- know this woman, so I have no idea how old a woman in a picture is. She could be -- she could be 30. She could be 25. I have no idea.

BY MR. SCAROLA:

Q. Or she could be 15 or 16?

A. I don't think so.

Q. But you don't know?

A. This doesn't -- well, I don't know how old you are. This does not strike me --

Q. Old enough to know that --

MR. SCOTT: You're cutting --

BY MR. SCAROLA:

Q. -- that's a young woman.

MR. SCOTT: Objection. You're cutting the witness off. You're not letting him finish.

A. This looks like a picture out of a Playboy or Penthouse magazine. It does not look to me like a person who is under the age of 16 or 17 or 18. But I don't think you can tell anything from the picture. I think you can tell much more from meeting somebody and being with them and having a conversation with them.

MR. SCAROLA: Let's mark this photograph, if we could, as Exhibit Number 4.

(Thereupon, marked as Plaintiff Exhibit 4.)

BY MR. SCAROLA:

Q. Does Exhibit Number 4 help you at all to recognize this young woman?

A. I've never -- I have no -- no recollection of this young woman at all.

Q. All right. Would you describe for us, please, the Tatiana that you flew with Jeffrey Epstein on November 17, 2005?

A. First, I want to emphasize that that's three years later than any of the issues involved in

this case. I have no recollection of flying with this woman. I saw the name Tatiana on a manifest.

And my recollection of Tatiana -- I have no recollection of flying with her, but my recollection of Tatiana is that she was a serious, mid 20s woman friend of Jeffrey Epstein, who I may have met on one or two or three occasions when he was with her in -- perhaps at Harvard University where he was meeting with academics and scholars, or perhaps -- I think that's probably the context where -- where she might have been.

Q. But you never flew with her?

A. I have no recollection of flying with her.

Q. Okay. Well, let me see if this helps to refresh your recollection, Mr. Dershowitz.

MR. SCAROLA: Let's mark this as Exhibit Number 5, please.

THE WITNESS: Uh-huh, yes.

(Thereupon, marked as Plaintiff Exhibit 5.)

BY MR. SCAROLA:

Q. Do you see that the name of the woman in the photographs I have handed you is Tatiana Kovylina, K-O-V-Y-L-I-N-A, a Victoria Secrets model?

The photographs, sir, look at the

photographs. The photographs identify the woman as Tatiana Kovylina, correct?

A. Yes, but --

MR. SCOTT: Mr. Dershowitz, take your time --

THE WITNESS: Yeah.

MR. SCOTT: -- review the exhibits. Don't be rushed by Mr. Scarola.

A. Yes, it's a different -- different spelling of the name. The Tatiana on the manifest is spelled T-A-I-T-A-N-N-A.

The Tatiana in the photograph is T-A-T-I-N -- I-A-N-A. I have no idea whether --

BY MR. SCAROLA:

Q. The last name --

A. -- they are the same person.

Q. -- is the same, Kovylina, right?

A. There's no last name.

Q. Well, read down a little bit further, if you would, Mr. Dershowitz.

A. You mean as to a different flight?

Q. Yes, sir. Identifying the return flight for the same Tatiana.

A. I have no idea that it's a return flight. I have nothing on the record that suggests that it's

a return flight. And it has different people on it. So I have no reason to believe it's a return flight.

Q. Is the last -- the question that I asked you, Mr. Dershowitz, is: Is the last name spelled exactly the same as the last name is spelled in the two photographs I have shown you?

A. Let me look. So, on the 20th of November --

Q. Is the last name --

MR. SCOTT: Whoa, whoa --

BY MR. SCAROLA:

Q. -- spelled the same way on both the flight log and the two photographs I have shown you?

A. On -- you mean on a flight log that I was not on the flight? Is that right? You're talking about a flight log that I was not on the flight, right?

Q. That flight log shows you on multiple flights, does it not?

A. It shows me not on that flight. It shows me on a number of flights, but not on that flight.

MR. SCOTT: What's the date of the flights?

THE WITNESS: The date of that flight is -- looks like November 20th, 2005, more than three years after Virginia Roberts left for --

BY MR. SCAROLA:

Q. Mr. Dershowitz --

MR. SCOTT: You're cutting the witness off.

MR. SCAROLA: He's not answering my question, Tom.

MR. SCOTT: Well --

MR. SCAROLA: I want to know whether the last name is spelled the same or it isn't spelled the same on the flight log marked as an exhibit and on the photographs. That's a very direct question. It calls for a very direct yes or no response.

And this witness has demonstrated a clear refusal to respond directly to direct questions, which will result, when we resume this deposition, in our requesting that the Court appoint a special master so that this deposition doesn't take two weeks to complete.

MR. SCOTT: You know, Mr. Scarola, that's a nice speech and I appreciate it.

MR. SCAROLA: Thank you.

MR. SCOTT: I don't agree with your

characterization. And if you recall, months ago I suggested a special master for this deposition, for your clients' depositions and for Virginia Roberts' and your response to me was: I'll consider it, I won't pay for it. If your client wants to pay for it -- so basically you blew me off.

So, I appreciate you finally come around. And your clients.

MR. SCAROLA: Your client's misconduct has clearly convinced me, having now considered it, that it is absolutely necessary.

MR. SCOTT: Okay. Now --

BY MR. SCAROLA:

Q. So now could I get an answer to my question --

MR. SCOTT: Now that we have --

BY MR. SCAROLA:

Q. -- whether the last name on the flight log is spelled exactly the same way as the last name in the photographs?

MR. SCOTT: Now that all the lawyers' speeches are done, read the question back and the witness will answer it.

MR. SCAROLA: I will repeat the question.

BY MR. SCAROLA:

Q. Is the last name on the photograph spelled exactly the same way as the last name on the flight log?

A. If you're talking about a flight log that I was not on that flight, the answer is yes.

Q. All right. Thank you very much, sir.

Now, that flight log also shows you flying repeatedly in the company of a woman named Tatiana, correct?

A. I've only seen one reference to Tatiana on November 17. If you want to show me any other references, I'd be happy to look at them.

Q. All right, sir. Thank you.

Let's go back to the --

MR. SCOTT: Are we done with this exhibit?

MR. SCAROLA: We are done with the exhibit.

MR. SCOTT: Okay. Then let's collect the exhibits so that we don't have a big -- then we'll turn them over to the court reporter to keep safekeeping.

There you go, young lady, don't lose those, don't get them wet. And we'll proceed.

BY MR. SCAROLA:

Q. Did you state during the same interview, the CNN Don Lemon interview: "She has said that Bill Clinton was with her at an orgy on Jeffrey's island"?

A. I did state that, yes.

Q. Was that statement intended as fact, opinion, or was it intended as rhetorical hyperbole?

MR. SCOTT: Do you understand the question?

THE WITNESS: Yes, I do.

A. It was a statement based on what I believed were the facts at the time I said them.

Various newspapers and blogs had placed Bill Clinton on, quote, "orgy island" on -- in the presence of Jeffrey Epstein when there were orgies. And at the time I made that statement, I had a belief that she had accused Bill Clinton of participating or being -- as being a part of or an observer or -- or a witness or a participant in orgies on what was called Jeffrey Epstein's orgy island. That was my state of belief, honest belief at the time I made that statement.

BY MR. SCAROLA:

Q. Yes, sir. And what I want to know is what

the source of that honest belief was? Identify any source that attributed to Virginia Roberts the statement that Bill Clinton was with her at an orgy on Jeffrey's island.

A. We can provide you about, I think, 20 newspaper articles and blogs which certainly raise the implication that Bill Clinton had improperly participated in sexual activities on the island either as an observer or as a participant. The issue was raised on Sean Hannity's program. The headlines in various British media had suggested that.

It's my belief that Virginia Roberts intended to convey that impression when she was trying to sell her story to various media, which she successfully sold her story to in Britain, that she wanted to keep that open as a possibility.

And then when I firmly declared, based on my research, that Bill Clinton had almost certainly never been on that island, she then made a firm statement that she -- which was a -- which was a perjurious statement, a firm perjurious statement saying that although Bill Clinton had been with her on the island and had had dinner with her, the perjurious statement was that Bill Clinton had been on the island with her.

The lie was that she described in great detail a dinner with Bill Clinton and two underaged Russian women who were offered to Bill Clinton for sex but that Bill Clinton turned down.

So she then put in her affidavit that although -- perjuriously, although she had seen Bill Clinton on that island, she then stated that she had not had sex with Bill Clinton. To my knowledge, that was -- to my knowledge at least, that was the first time she stated that -- that she not had sex with Bill Clinton. She had certainly implied, or at least some of the media had inferred from her statements that she may very well have observed Bill Clinton in a sexually compromising position.

So, when I made that statement to Don Lemon, I had a firm belief, based on reading newspaper accounts and blogs, that it was true.

Q. Can you identify a single newspaper that attributed to Virginia Roberts the statement that Bill Clinton was with her at an orgy on Jeffrey's island?

A. I think there -- I don't have them in my head right now. But I do recall reading headlines that talked about things like, sex slave places Clinton on orgy island, things of that kind. I would be happy to provide them for you. I don't have them on the top of my head.

Q. There's a big difference between saying that Bill Clinton was on Jeffrey's island and saying that Bill Clinton was at an orgy on Jeffrey's island, isn't there?

MR. SCOTT: Objection --

BY MR. SCAROLA:

Q. Do you recognize a distinction between those statements?

MR. SCOTT: Form.

A. I don't think that distinction was clearly drawn by the media.

BY MR. SCAROLA:

Q. I'm asking whether you recognize the distinction?

A. Oh, I -- I certainly recognize a distinction.

Q. Oh, so --

A. Let me finish. I certainly recognize a distinction between Bill Clinton being on the island, which I believe she perjuriously put in her affidavit, and Bill Clinton participating actively in an orgy. I also think it's a continuum.

And there is the possibility, which I don't personally believe to be true, that he was on the island. There was the possibility, which I don't believe to be true, that he was on the island when orgies were taking place. There was the possibility that he was on the island and observed an orgy, and there was the possibility that he was on the island and participated in an orgy.

Newspapers picked up those stories. I'll give you an example of a newspaper that actually said that that she had placed or that I was on the island and -- that I participated in an orgy along with Stephen Hawkings [sic.], the famous physicist from Cambridge University, that was a newspaper published in the Virgin Islands, which falsely claimed that I was at an orgy with Stephen Hawkings.

So, many newspapers were suggesting, implying, and I inferred from reading those newspapers that that's what she had said to the media.

If I was wrong about that based on subsequent information, I apologize. But I certainly, at the time I said it, believed it and made the statement in good faith in the belief that it was an honest statement.

Q. Okay. So you now are withdrawing the statement that you made that Virginia Roberts said that Bill Clinton was with her at an orgy on Jeffrey's island; that was wrong?

A. I don't know whether she ever said that. I would not repeat that statement and have not repeated that statement based on her denial. As soon as she denied it, I never again made that statement and would not again make that statement.

Q. You --

A. But I did reiterate the fact that she committed perjury when she said she was on the island with Bill Clinton.

MR. SCAROLA: Move to strike the nonresponsive --

A. That was the perjurious statement.

MR. SCAROLA: Move to strike the nonresponsive portions of the answer.

BY MR. SCAROLA:

Q. You have made a reference during that same CNN interview to this woman, referring to Virginia Roberts, having a criminal record?

A. That's right.

Q. Okay. What -- what is a criminal record?

A. Well, the way I used the term is that she

committed a crime and legal -- some kind of proceedings resulted from her committing a crime. The crime she committed was stealing money from a restaurant that she worked at while she was also working for Jeffrey Epstein. And it was my information that there was a criminal record of her theft.

Q. How old was she at the time this alleged offense occurred?

A. I don't know. But old enough to be held criminally responsible in the State of Florida, to my knowledge. To my knowledge, I -- I recall a case where a 14-year-old boy was sentenced as an adult for --

MR. SCAROLA: Mr. Scott --

A. -- a serious --

MR. SCAROLA: -- did my question ask anything about a 14-year-old boy?

A. You asked if --

MR. SCAROLA: Do we really need to listen to this?

MR. SCOTT: You're asking questions, my client is providing his response.

MR. SCAROLA: No, your client is not responding. Your client is filibustering.

Your client is doing everything he can to avoid giving direct answers to these questions.

I would appreciate it if you would take a break, counsel your client that the speeches are not helpful to anyone, and especially not helpful to him.

MR. SCOTT: If you want to take a break, I'll take a break and I will advise my client whatever I feel is appropriate, not what you instruct me to do.

MR. SCAROLA: Okay. Well, if you think it might help at all in the progress of this deposition, then I do want to take a break. If you don't think taking a break would be helpful, I don't want to take a break.

MR. SCOTT: Do you want to take a break or not?

THE WITNESS: I'm going to leave it to your judgment. I'm happy to proceed --

MR. SCOTT: Okay. I'll be glad to take a break.

MR. SCAROLA: Thank you.

MR. SCOTT: I can't say --

MR. SCAROLA: Five minutes.

MR. SCOTT: -- it will help you or

anything but --

MR. SCAROLA: I can understand that you don't -- you don't have that control, but if there's any reasonable --

MR. SCOTT: You know, Counsel --

MR. SCAROLA: -- prospect that it might help, let's give it a try.

MR. SCOTT: You know, I really don't appreciate the comments about my abilities as an attorney, like I don't have that control and things of nature. It really is --

MR. SCAROLA: I don't have the control either.

MR. SCOTT: It's not --

MR. SCAROLA: I'm not trying to disparage you at all in any respect. I'm just suggesting that --

MR. SCOTT: Okay.

MR. SCAROLA: -- there is reason to doubt that it will do any good. But I want to give it a try.

MR. SCOTT: Okay. Fine. Thank you.

MR. SCAROLA: Thank you.

VIDEOGRAPHER: Going off the record. The time is approximately 9:49 a.m.

(Recess was held from 9:49 a.m. until 10:01 a.m.)

VIDEOGRAPHER: Going back on the record. The time is approximately 10:01 a.m.

MR. SCOTT: If you've finished your bagel, we're ready to proceed, I think.

MR. SCAROLA: I think we are. I was actually ready to proceed a little bit earlier, but we'll proceed now.

BY MR. SCAROLA:

Q. Mr. Dershowitz, do you agree with the basic concept that one is presumed to be innocent until proven guilty?

A. Yes.

Q. Has Virginia Roberts ever been proven to be guilty of any crime at any time, anywhere, at any age?

A. I don't know the answer to that question, but I do know that she was brought into the legal system for stealing money from her employer and I think it's fair to characterize that as her having a criminal record, yeah.

Q. To the extent that anyone might interpret your comment that Virginia Roberts was ever convicted of a crime, they would be drawing a false conclusion as far as you know, correct?

A. As far as I know, I don't know of her having convicted of any crime. But I do know that she was proceeded against for having stolen money. And I don't think she contested that. I don't think there's any dispute about the fact that she stole money and engaged in other crimes as well.

Q. When did you find out about this alleged crime?

A. As soon as the false allegation against me was made public, I got call after call after call from people telling me about Virginia Roberts, about your 22 clients. The calls just kept coming in because there was such outrage at this false allegation being directed against me.

MR. SCAROLA: Move to strike the unresponsive portion of the answer.

BY MR. SCAROLA:

Q. You found out as soon as the CVRA complaint was -- the CVRA allegations referencing you were filed; is that correct?

A. I didn't say that. I said as soon as they were made public and as soon as the newspapers carried these false stories, I received phone calls and I learned about -- I learned about her encounter with the criminal justice system.

Q. That would certainly have been prior to February 23rd of 2015, correct?

A. Yes.

MR. SCOTT: Are you going back to the exhibit now with the newspapers and --

MR. SCAROLA: Not yet.

MR. SCOTT: Okay.

BY MR. SCAROLA:

Q. Having reviewed the available airplane flight logs, you are aware that Bill Clinton flew on at least 15 occasions with Jeffrey Epstein on his private plane, correct?

A. Yes.

Q. Have you ever attempted to get flight log information with regard to Former President Clinton's other private airplane travel?

A. No.

Q. Never made a public records request --

A. Yes.

Q. -- under the Freedom of Information Act with regard to those records?

A. Well, we have made a Freedom of Information request. My -- my attorney in New York, Louis Freeh, the former head of the FBI, has made a FOIA request for all information that would

conclusively prove that Bill Clinton was never on Jeffrey Epstein's island, yes.

Q. And you were denied those records, correct?

A. No, no, no.

Q. Oh, you got them?

MR. SCOTT: Well, wait a minute. Let's take it slow. Ask a question.

A. As any lawyer knows, FOIA requests take a long, long period of time. So they were neither denied nor were they given to us. They are very much in process.

BY MR. SCAROLA:

Q. When was --

A. While we're talking about -- may I complete -- I want to amend one answer I gave previously.

While we're talking about the plane logs, I must say that during the recess, my wife Googled Tatiana and found out that she was, in fact, 24 years old in 1995, at the time she flew on that airplane. So that my characterization of her as about 25 years old is absolutely correct.

And the implication that you sought to draw by showing me those pictures was not only demonstrably false, but you could have easily discovered that the implication you were drawing was demonstrably false by simply taking one second and Googling her name as my wife did.

BY MR. SCAROLA:

Q. And so at 25 years old, she wasn't a young woman?

A. She was not the kind of woman that I was describing as underage. She was a mature, serious, I think I said in my public statements a model. I wasn't aware at the time that see was working for Victoria's Secrets, but Google demonstrates that. And I described her exactly, in exactly the right terms, a serious person.

I always saw her dressed when I saw her -- I saw her maybe on two or three occasions, dressed appropriately. She was a serious adult worker and I think you insult and demean her when you suggest that anything other than that she was a serious adult when she flew on that airplane.

Q. You were asked on the occasion of that same Don Lemon CNN interview what possible motive the attorneys, Brad Edwards and Paul Cassell, could have had to have identified you in the pleading that was filed in the Crime Victim's Rights Act case.

Do you remember that?

A. That's right, yes.

Q. And your response was, quote --

MR. SCOTT: Here's your transcript if you need to refer to it.

BY MR. SCAROLA:

Q. -- "They want to be able to challenge the plea agreement and I was one of the lawyers who organized the plea agreement. I got the very good deal for Jeffrey Epstein."

Did you make that response?

A. Yes.

Q. So, you recognized as of January 5, 2015, that the reason why the statements were filed in the Crime Victim's Rights Act case was because the Crime Victim's Rights Act case had, as an objective, setting aside the plea agreement that you had negotiated for Jeffrey Epstein, correct?

MR. SCOTT: Objection, form. Go ahead if you can answer it.

A. There were multiple motives. One of the motives was crassly financial. They were trying to line their pockets with money. But as I also said, and I said this over and over again, they profiled me. They sat down with their client, knowing that

she has a history of lying, knowing that she is easily suggestible, and they basically pressured her, according to my sources, into including me when she didn't want to include me, because by including me, they could make a claim, false as it was, could make a false claim that a person who negotiated the NPA was also criminally involved with her.

They also lied -- lied unethically and unprofessionally by saying that I negotiated that provision of the NPA, which gave me, myself, any kind of immunity from prosecution had I had improper sex with Virginia Roberts, which, of course, I did not. And that was one of the bases on which I was certain that they had engaged in unprofessional, disbarrable and unethical conduct by including that provision, as well as including a provision that Prince Andrew was included because he, Prince Andrew, pressured a United States attorney to try to get a good deal for Jeffrey Epstein.

That is so laughable. How any lawyer could put that in a pleading, it doesn't pass even the minimal giggle test. And I'm embarrassed for Professor Cassell that he would have signed his name to a pleading that alleges that Prince Andrew would pressure the United States attorney for the Southern

District of Florida into giving Jeffrey Epstein a good deal.

MR. SCAROLA: Move to strike the unresponsive portions of the answer. And obviously the break didn't do any good.

MR. SCOTT: Let's proceed.

MR. SCAROLA: We're going to.

BY MR. SCAROLA:

Q. You stated, quote: "If they," referring to Bradley Edwards and Paul Cassell, "could find a lawyer who helped draft the agreement" --

A. Right.

Q. -- "who also was a criminal having sex, wow, that could help them blow up the agreement."

Did you make that statement on --

A. Yes. I just repeated it now, yes, under oath, yes.

Q. Did you state the following in that same interview: "So they," referring to Bradley Edwards, Paul Cassell and Virginia Roberts, "sat down together, the three of them, these two sleazy, unprofessional disbarrable lawyers" --

A. Uh-huh, uh-huh.

Q. -- "they said" --

MR. SCOTT: Let him ask the question.

BY MR. SCAROLA:

Q. -- "who would fit into this description? They and the woman got together and contrived and made this up."

Did you make that statement on national television?

A. Yes, and I just repeated it under oath. I believe that to be the case. I think that's exactly what happened. And I think that my source has corroborated that.

By the way, can I add at this point -- I don't mean to distract you, but I think the record would be more complete if I indicated that I did get a phone call last night from Michael, who told me that he had received numerous phone calls and texts from Virginia Roberts trying to persuade her not to talk to me or cooperate with me and offering the help of a lawyer.

And I also -- although you didn't ask the question, Mr. Scarola, I think for completeness and fullness, I do want to say that you asked me whether or not I knew about what could be taped and what couldn't be taped. I did tape record some of what Virginia Roberts [sic.] told me, with her

permission, and I have those tape recordings.

Q. Well, you're getting a little bit overexcited, Mr. Dershowitz, because you never tape recorded anything that Virginia Roberts told you.

A. Did I say Virginia Roberts?

Q. You misspoke.

A. I misspoke. You wouldn't know that. But, in fact, let me be clear.

I tape recorded, with her permission, Rebecca's statements to me about what Virginia Roberts had told her. And I just want to make sure that for completeness, even though you didn't ask the question yesterday, that's part of the record.

Q. Well, I actually did ask the question and my recollection is that you said you didn't even think about tape recording anything --

MR. SCOTT: No, that's not accurate. You never asked that.

BY MR. SCAROLA:

Q. But can you tell us, please, did you turn over those tape recordings in the discovery that you were required to make in this case?

A. The discovery -- these events occurred after April of 2015. And I certainly turned over the recordings and the -- recordings to my lawyers,

who made transcripts of them.

Q. Did you turn them over to opposing counsel --

MR. SCOTT: The transcripts --

BY MR. SCAROLA:

Q. -- in the course of discovery?

MR. SCOTT: The transcripts we consider to be work product. If you make a request to produce, we'll provide them.

MR. SIMPSON: Just for completeness, they were also after your discovery request.

MR. SCOTT: Request to produce, we'll consider providing them.

BY MR. SCAROLA:

Q. Is there an entry in any privilege log that identifies these allegedly privileged work product documents?

MR. SIMPSON: We will -- the lawyers will address the document production issues. But two things, Mr. Scarola, first, they postdate your request and you have said several times there's no duty to supplement. And second, they're work product.

MR. SCAROLA: Well, sir, if they postdated a full and complete production, which we are

now told they do not, then you wouldn't be obliged to supplement the production that had already been completed. But it is not the date of the request that matters, it is the date of the production that matters.

And what we're now being told is there are allegedly highly relevant transcripts of a telephone conversation that occurred months ago when the last production that we received, which we are told still is not complete, occurred approximately two weeks ago.

So, there's no privilege log entry. There's no production of these documents. And there is clearly a very significant discovery violation if, in fact, such documents exist.

MR. SIMPSON: I'm not going to debate it here, Mr. Scarola, but your assertions are not accurate.

MR. SCAROLA: All right. There also was a subpoena duces tecum that was responded to tomorrow -- I'm sorry, yesterday. Can you tell us whether the documents that are now being described are included in response to the subpoena duces tecum on the flash drive that you provided to us?

MR. SIMPSON: The flash drive is the same as the document production.

MR. SCAROLA: So the answer is no, they're not there; is that correct?

MR. SIMPSON: Correct.

MR. SCAROLA: Okay. And what's the explanation for that?

MR. SIMPSON: I'm not going to debate this on the record with you, Mr. Scarola.

MR. SCAROLA: All right. Thank you.

BY MR. SCAROLA:

Q. Which conversation with Rebecca did you tape record?

A. I tape recorded a conversation with her permission where she told me that she was pressured, she didn't -- where Rebecca told me that Virginia was pressured and that she didn't want to name me but she was pressured to name me, that she had never previously named me.

By the way, I told this to Virginia Roberts' lawyer.

MS. McCAWLEY: Objection. To the extent you're going to reveal anything that was said during settlement discussions, I'm moving for sanctions, period. We're not doing this today.

Please instruct the witness.

MR. SCOTT: Avoid that. We discussed that yesterday.

THE WITNESS: That's fine.

BY MR. SCAROLA:

Q. What was the date of the phone conversation that you tape recorded?

A. I don't recall. But it's on the transcript.

Q. And does it also reflect that the recording is being made with her permission?

A. Uh-huh.

Q. That's a yes?

A. Yes. Yes, that's a yes.

Q. What is Rebecca's last name?

A. You know Rebecca's last name and she has asked me not to reveal it to the press. And so I would like to comply with that -- with that request. For purposes of discovery, you know her name, you know her husband's name, you know her phone number, and she has been called. But there's no reason for me to reveal it so that it appears in the press that she would be called by newspapers and by the media.

Q. Mr. Dershowitz, how do you know what I know if you haven't told me?

A. I know what you know because I'm a logical person and I know that Virginia -- I know that Virginia Roberts repeatedly called this -- this woman and her husband, repeatedly text her, and knows her name. And you and Virginia Roberts' lawyers are operating in privity here. You're whispering to each other, you're passing notes. You are part of a joint legal team.

And if you want to know her name, all you have to do is ask Sigrid McCawley and she'll tell you her name. I'm sure you know her name. And if you don't know her name, it's because you haven't asked.

Q. Okay. Well, I'm asking you --

A. I'm not going to tell you --

Q. -- and I'm telling you I don't know her name.

A. Okay.

Q. Okay? As an officer of the court, I am telling you I don't know her name. And you are under oath and obliged to answer material and relevant questions, and I want to know what her name is.

MR. SCOTT: I will provide you the name off the record, but I'm not -- if he feels it's

inappropriate because of what -- he's not going to answer the question. I will provide you the name.

BY MR. SCAROLA:

Q. Okay. She has still insisted that her name not be revealed; is that correct?

A. Her husband asked me to do whatever I could not to put her name in front of the press, in front of the media.

Q. There's no -- there's no one from the press here today.

MR. SCOTT: Yeah, but they're going to order the transcript and they're going to see, so that's the same thing. And I've already told --

A. You will have her name in five --

MR. SCOTT: I will give you her name --

A. -- minutes. All you have to do is --

MR. SCOTT: And, Jack, if you want to take a break now --

THE REPORTER: Hold on. Hold on, gentlemen. You can't talk at the same time.

MR. SCOTT: Let me do the talking at this point.

THE WITNESS: Please.

BY MR. SCAROLA:

Q. What's her phone number?

A. Her phone number is known to Virginia Roberts and presumably -- and to Virginia Roberts' lawyers because she received phone calls from Virginia Roberts' lawyers. So all you have to do is ask your colleagues and you will get that. But I think there's no reason to put her phone number in the public record so that she will receive massive amounts of phone calls from the media. Seems to me that any -- that a judge would try to prevent that from happening. I would hope so. And I'm -- you can get the name and the phone number from my lawyer as long as it's --

MR. SCOTT: We'll provide that.

A. -- done off the record, not so that the media can see it.

BY MR. SCAROLA:

Q. You just swore under oath that lawyers contacted Rebecca; is that correct?

A. I swore under oath that I was told by Michael that lawyers contacted Rebecca, yes.

Q. Which lawyers?

A. I don't know the answer to that.

Q. Did you ask him?

A. I did.

Q. And he said, I --

A. He wouldn't answer that.

Q. -- refuse to tell you?

A. No, he didn't know the answer to that either because he didn't return the phone calls. He said --

Q. How did he know they were lawyers if he didn't return the phone calls?

A. Because they left messages, presumably.

Q. With names that identified them as lawyers; is that right?

MR. SCOTT: You're arguing with the witness --

A. I don't know the answer to that.

MR. SCAROLA: No, I'm trying to find out whether there's any logical basis for the stories that the witness is telling.

MR. SCOTT: And I think he's trying to explain it. And I think he's trying to do it in an easy, slow format. So, you know --

MR. SCAROLA: Okay. Well, let's take it easy --

MR. SCOTT: -- if we all take -- if we all take the tension down here, maybe we can get

more accomplished.

MR. SCAROLA: Let's take it easy and slow.

BY MR. SCAROLA:

Q. How did Michael tell you he knew these people he didn't speak to were lawyers?

A. He told me that he received a phone call from Virginia Roberts. That then his wife received numerous phone calls and texts from her all through the night. And that they received phone calls as well from her lawyers. One of them had a Miami phone number.

And I don't know how he knew they were lawyers. But that's what he conveyed to me. All I can tell you is what he told me, and I'm telling you that.

Q. Did you ask him for the phone number?

A. I did not.

Q. Why not?

A. I didn't think it was appropriate or necessary.

Q. What was inappropriate about asking for the phone number to find out who was attempting to contact this witness?

A. I was not particularly interested in that. All I was interested in was getting the truth from

the witness and trying to prevent her from having a media barrage that would interfere with their lives.

Q. You told Don Lemon on CNN that the flight manifests would exonerate you, prove that you were not in the same place at the same time as Virginia Roberts, correct?

A. That's right. And that's true.

Q. You also told Don Lemon, quote, "I am waiving the statute of limitations or any immunity."

A. That's right.

Q. You were then subsequently asked to waive the statute of limitations and refused to, correct?

A. Absolutely false.

I waived the statute of limitations by submitting a statement under oath. Had I not submitted that statement under oath, the statute of limitations would have been long gone. But by stating under oath categorically that I did not have any sexual contact with her, I waived the statute of limitations and could be prosecuted for the next five or so years for perjury in what I said was false.

But what I said was true, so I have no fear of any statute of limitations or any criminal prosecution. So, yes, I did waive the statute of limitations, yes.

Q. You refused to waive the statute of limitations with regard to sexual crimes, correct?

A. I didn't refuse anything. I didn't feel I had any obligation to respond to you. And I did not.

Q. So, you were asked to waive the statute of limitations with regard to your sexual crimes and you refused to respond?

A. I was asked by you, utterly inappropriately, and what I had said -- and if you check what I said, I said if any reasonable prosecutor were to investigate the case and find that there was any basis, I would then waive the statute of limitations. I didn't waive the statute of limitations because you, a lawyer, for two unprofessional, unethical lawyers asked me to do so, what obligation do I have to respond to you?

Q. Well, you have no obligation to respond to me at all, Mr. Dershowitz, except now while you are under oath and I am asking you questions and I would greatly appreciate you responding to the questions that I ask.

MR. SCOTT: I think he's trying.

BY MR. SCAROLA:

Q. You made the further statement in that same interview, "They dropped the dime on the media when they filed it," referring to the CVRA pleading --

A. Right.

Q. -- in which were you named?

A. Right.

Q. What is the basis for that statement?

A. The basis for that statement was that the filing was done virtually on the eve of New Year's on a day that the press was completely dead. And nonetheless, immediately upon the filing, I got a barrage of phone calls that led me to conclude, and led many, many, many other lawyers who called me to conclude that obviously somebody tipped somebody off that they didn't just happen to file -- to find in the middle of an obscure pleading which didn't even have a heading that indicated that I was involved or anybody else was involved.

So, I'm certain that a dime was dropped to somebody saying, by the way, you want an interesting story, there's -- Prince Andrew of Great Britain and Alan Dershowitz have been accused of sexual misconduct. I still believe that.

Q. And by dropping the dime on the media when they filed it, you intended to convey the message that Paul Cassell and Bradley Edwards intentionally generated the focus of press attention on that filing; is that correct?

A. Absolutely. Absolutely without any doubt. Why else would they have brought Prince Andrew into this filing? Prince Andrew had no connection to the NPA, no relevance at all. But they knew that by including Prince Andrew, this would drag my name into every single newspaper and media outlet in the world.

It was outrageous for them to do this. Particularly because they did so little, if any, investigation, which will, of course, be determined when they're deposed. And -- and --

Q. Well, you've already made that determination, right?

MR. SCOTT: Wait.

A. I'm convinced that -- that they did little or no investigation. They never even bothered to call me. That would have been --

BY MR. SCAROLA:

Q. We'll get to that in just a moment.

A. -- a simple basic thing.

Q. But right now -- right now could you please tell us was there anything other than your inferring that they must have contacted the media to support your conclusion that either Paul Cassell or Brad Edwards did, in fact, alert the media at the time of the filing of this pleading?

A. Yes.

Q. What else besides your inference?

A. When the BBC came to see me, the BBC reporter showed me an e-mail from Paul Cassell, which urged him, the BBC reporter, to ask me a series of questions. So I knew that Paul Cassell was in touch with the British media and was trying to stimulate and initiate embarrassing questions to be asked of me.

And when I spoke to a number of reporters, they certainly -- obviously reporters have privilege, but they said things that certainly led me to infer that they had been in close touch with your clients or representatives on their behalf.

Q. What was the date of the e-mail --

A. I don't know.

Q. -- that you referenced in that response?

A. I don't know.

Q. Well --

A. It was whenever -- I'm not sure I ever saw the date. He just quickly showed me the e-mail and I quickly looked at it.
Q. The e-mail that you are referencing, in fact, occurred after you had begun all of your media appearances with respect to this filing --
A. Let me be very clear about --
Q. -- didn't it, sir?
A. Let me be very clear about my media appearances so that I --
Q. How about just answering the questions?
A. I'm trying to answer the question. All of my media appearances --
Q. The question is: Did it occur before or after your media -- your media appearances? That doesn't call for a speech --
A. It came --
Q. -- it calls for before or after.
A. It came before some and after some. It came, for example, before my appearance on the BBC because they showed me the e-mail before they interviewed me for the BBC. So some occurred -- it occurred before some and it occurred after some.
Q. All right. So it is your assertion that this single e-mail that you have made reference to

where Paul Cassell says "asks Dershowitz these questions" occurred before your -- your media appearances and after your media appearances; is that correct?
MR. SCOTT: Objection, form, argumentative and repetitious.
A. It occurred before some of the media appearances, and it occurred after some of media appearances, yes.
BY MR. SCAROLA:
Q. Did it occur before your first media appearances?
A. My first media appearances came as the result of phone calls I received from --
Q. That's nonresponsive to my question, sir.
A. -- newspapers --
Q. I didn't ask you anything about what your first media appearances occurred --
A. Yes, you did.
Q. -- as a result of. I asked you --
MR. SCOTT: Let him ask his question.
BY MR. SCAROLA:
Q. -- whether the e-mail that you claimed to have seen was sent before or after your first media appearance?

MR. SCOTT: I think he's answered that twice.
A. It came after. It came after.
BY MR. SCAROLA:
Q. Thank you, sir. On January 5, you made another CNN Live appearance in an interview with Hala Gorani. Do you recall that?
A. I do not recall the name of the person --
Q. Take a look at the transcript, if you would, please, page 15.
MR. SCOTT: Take a moment to review the transcript, please, Mr. Dershowitz.
THE WITNESS: Page 15.
MR. SCOTT: Take your time to review that.
A. Yeah, that name is not familiar to me but, of course, I remember doing an interview, yes.
BY MR. SCAROLA:
Q. All right, sir. And during the course of that interview, you said: "There are flight manifests. They will prove I was never on any private airplane with any young woman." Correct?
A. Yes.
Q. Go to page 17, if you would.
A. Uh-huh.
Q. At line 4 of transcript of that same

interview, you said: "She made the whole thing up out of whole cloth. I can prove it by flight records. I can prove it by my travel records."
Did you make those statements?
A. Yes, and they're absolutely true.
Q. Okay. I am going to hand you every flight record that has been produced in connection with this litigation.
A. Uh-huh.
MR. SCAROLA: Could we mark that as the next composite exhibit, please?
(Thereupon, marked as Plaintiff Exhibit 6.)
MR. SCAROLA: And mark this as the next composite exhibit, which will be 7.
MR. SCOTT: These are all the flight manuals?
MR. SCAROLA: As far as I know.
MR. SCOTT: Okay.
MR. SCAROLA: They're the only ones that have been produced in discovery. If there are more, I'm going to be interested to hear about it.
(Thereupon, marked as Plaintiff Exhibit 7.)

(Discussion off the record.)

THE WITNESS: What's Number 6 then? I'm confused, there were two.

BY MR. SCAROLA:

Q. Have you ever seen Exhibit Number 6 before?

A. Exhibit Number 6. I don't believe so. It doesn't look familiar to me.

Q. No?

A. It does not look familiar to me.

Q. Did you bother at any time to review discovery that was produced by Bradley Edwards and Paul Cassell responding to requests for information that supported the allegations of Virginia Roberts?

A. I'm not clear what you're asking.

Q. I want to know --

A. In which case? In which case are we talking?

Q. This case. This case.

A. Right.

Q. Did you ever bother to review the discovery produced in this case responding to requests for all of the information that supported their belief in the truthfulness of Virginia Roberts' allegations against you?

A. I don't know if I reviewed everything. But I certainly, in preparation for this deposition, reviewed some of the documents that were produced in discovery. But I can't say I reviewed them all.

Q. Well, having placed such substantial emphasis during the course of your public appearances on the flight logs exonerating you, it would certainly seem logical that one of the things that you would want to review would be all of the available -- all of the available flight logs, right?

A. No.

MR. SCOTT: Objection, argumentative.

A. No.

BY MR. SCAROLA:

Q. No?

A. No. Look, I knew I was never on a plane with any underage females under any circumstances. I knew that. I knew that as certainly as I'm sitting here today. So, I knew absolutely that if the manifests and the flight logs were accurate, they would, of course, exonerate me because I am totally, completely, unequivocally innocent of any of these charges.

So of course I knew that I would be

exonerated by any flight logs that were innocent -- that were complete and accurate, of course.

Q. So you made the public statements repeatedly that the flight logs would exonerate you without having examined the flight logs to see whether they were accurate or not; is that correct?

A. Well, I knew -- I knew that --

Q. Did you say those things without having examined the flight logs?

A. I said those things having looked at some of the flight logs at some point in time. But I knew for sure that the flight logs would exonerate me because I knew I was never on Jeffrey Epstein's plane with Virginia Roberts or any other young underage girls. So, I knew that to an absolute certainty. And I was prepared to say it. I'm prepared to say it again under oath here.

And if your clients had simply called me and told me they were planning to do this, we wouldn't be here today because I could have shown them in one day that it was impossible for me to have had sex with their client on the island, in the ranch, on the airplanes, in Palm Beach. And they would have, if they were decent and ethical lawyers, not filed that.

And there are cases, legal ethics cases that say that lawyers are obliged to make that phone call. Lawyers are obliged to check if it's easy to check. Lawyers are obliged to, particularly when they're making extremely heinous charges against a fellow lawyer, do very, very, detailed investigations. And they didn't do that in this case.

Q. I will represent to you that I have handed you all of the available flight logs produced in the discovery of this case. Could you show me, please, which of these flight logs exonerates you?

A. The absence of evidence is evidence of absence. None of the flight logs have me on an airplane with Virginia Roberts. None of the flight logs have me on an airplane during the relevant period of time when Virginia Roberts claims that she had sex with me in the presence of another woman.

So, the flight logs clearly exonerate me. There's absolutely no doubt about that.

Q. Well, the flight logs, in fact, confirm that you were in the same places at the same time as Virginia Roberts, don't they?

A. No, they do not.

Q. Do you -- do you deny that they confirm

that you were in the same place at the same time --

A. First --

Q. -- as Virginia Roberts?

MR. SCOTT: Let him ask the question.

THE WITNESS: Okay.

MR. SCOTT: Then you answer the question. And Mr. Scarola will try to, you know, keep the emotion down, I'm sure, so we can get through this with less acrimony between everybody here.

A. Your client has adamantly refused, as well as the lawyer --

BY MR. SCAROLA:

Q. No, sir, that's nonresponsive to my question.

MR. SCOTT: Wait a minute.

BY MR. SCAROLA:

Q. My question is: Do you deny that the flight logs corroborate that you were in the same place at the same time as Virginia Roberts?

A. So the question includes the word "time" and, therefore, I must answer in this way. Your client --

Q. How to build a watch?

MR. SCOTT: Wait a minute, you're cutting him off. He's been trying to answer the question.

A. Your client has adamantly refused, and her lawyers and your clients have refused to give me any timeframes, any timeframes when your client claims that she had improper -- falsely claims, perjuriously claims that she had improper sexual encounters with me.

So how can you possibly ask me a question that includes the word "timeframes" when your client has refused -- when Virginia Roberts has refused to give any timeframes? How can it be possible that the flight logs show me being in the same time and same place with her when she has refused to describe any of the times that she claims to have been in those places?

So the answer to the question is categorically no, sir.

BY MR. SCAROLA:

Q. What is the question that you are answering no to?

A. Whether or not the timeframe shows that I could have been in the same place at the same time as your client. Absolutely not. Because we don't know what times your client -- now, if you know that, you should have produced them in discovery and I would be very anxious to see any timeframes when Virginia Roberts claims she was with me on the island, claims she was with me on -- at the ranch, claims she was with me on the airplanes, claims she was with me in Palm Beach. And they will all conclusively --

Q. You forgot --

A. -- prove --

Q. -- New York. Didn't you mean New York also?

A. No, I did not mean New York --

Q. Oh, okay.

A. -- because New York is very different. I was, in fact, in New York for large periods of time. I was not, in fact, on the island during the relevant timeframe. I was not in the airplane in the relevant timeframe. I was not in Jeffrey Epstein's Palm Beach home in the relevant timeframe. And I was once in the ranch but under circumstances where it would have been absolutely impossible for me to have had any contact with her.

So if you will give me the timeframe, I will be happy to answer your question. But without timeframes, that question is an absolutely inappropriate question. And the answer to it is no.

Q. Well, Mr. Dershowitz, it might be inappropriate if you had not repeatedly made the public statements that the flight logs exonerate you.

A. They do.

Q. So what I am attempting to find out is the basis upon which you can contend that the flight logs exonerate you if you are now telling us you don't even know when it is that you are alleged to have been in the same place at the same time as Virginia Roberts.

A. Okay.

Q. So how -- how can you make both those statements?

A. Very simple, because I know the timeframe that Virginia Roberts, A, knew Jeffrey Epstein. And during that timeframe, I can conclusively prove that I was never on Jeffrey Epstein's island where she claimed to have sex with me. That the only time I was at the ranch was with my wife, with the Ashe family, with my daughter, the house was under construction, we just simply stayed outside the house and looked around. That the manifests show I was never on Jeffrey Epstein's plane during that period of time. And the manifests show that I never flew down to Palm Beach during that relevant period of time.

So I have a timeframe not that was provided by your client but that was provided by the externalities of the case. And that timeframe coupled with the manifests clearly exonerate me without any doubt.

Q. I want to make sure that I understood what you just said. "I never flew down to Palm Beach during the relevant timeframe"?

A. I never flew down and stayed at Jeffrey's house in Palm Beach during that relevant period of time.

Q. Okay. So you want to withdraw the statement that you never flew down to Palm Beach --

MR. SCOTT: Objection.

BY MR. SCAROLA:

Q. -- during that relevant period of time --

A. Let me be --

MR. SCOTT: Objection.

BY MR. SCAROLA:

Q. -- and what you want to say is, "I never flew down to Palm Beach and stayed at Jeffrey Epstein's house during that timeframe period," correct?

MR. SCOTT: Objection, argumentative --

A. Let me be --

MR. SCOTT: -- mischaracterization.

A. Let me be clear. A, I never flew down on Jeffrey Epstein's plane during the relevant period of time.

BY MR. SCAROLA:

Q. Flew down to where?

A. To Palm Beach or anywhere else. I was never on Jeffrey Epstein's plane, according to the flight manifests and according to my own records, during the relevant period of time.

I have independent records of my travel which demonstrate that I was not in Jeffrey Epstein's house during the relevant period of time. And -- but the -- talking about the manifests, the manifests conclusively prove that I was never on the airplane during the relevant period of time.

So I don't know how you can claim that the manifests show that I was with Virginia Roberts during the relevant period of time. They do not do that. And if you would testify under oath to that, I think you could be subject to pretty -- pretty scathing cross examination. So your statement is categorically false, sir.

Q. Which of the manifests are you referring to when you claim what you have claimed about the manifests, Exhibit Number 6 or Exhibit Number 7?

A. I can only tell you that I have reviewed the manifests and they show, to me, that I was never on Jeffrey Epstein's airplane during the relevant period of time. That's all I can tell you now.

I'm not in a position where I look at all these documents now. If you point me to any particular trip that shows that I was on Jeffrey Epstein's plane, I would be happy to respond to that.

Q. There are two separate collections of documents purporting to be flight manifests for Jeffrey Epstein's plane. When you made the public statements that you made regarding the flight logs or manifests exonerating you, were you referring to Exhibit Number 6 or Exhibit Number 7?

A. I have no recollection as to which particular exhibits, which are formed for purposes of the legal case, I had reviewed. I know I had reviewed the manifests. Not only had I reviewed the manifests, but others reviewed the manifests and have conclusively told me that their review of the manifests shows that I was right.

Q. Who else --

MR. SCOTT: Avoid any attorney-client communications either with Ms. -- you know, with your current lawyers, please.

THE WITNESS: Okay.

BY MR. SCAROLA:

Q. Who told you that they had reviewed the manifests and they confirmed your position?

MR. SCOTT: Objection, work product.

MR. SCAROLA: Well, you know, Mr. Scott, he can't have it both ways. He can't insert into the record the gratuitous statements that he inserts into the record regarding others having corroborated his inaccurate testimony, and then refuse to tell us who those others are. It constitutes a waiver of whatever privilege might exist.

MR. SCOTT: He can -- he can tell who they are. I'm just saying he can't go into communications with them.

MR. SCAROLA: Well, he's already said what the communication was. The communication was these manifests prove your position.

MR. SCOTT: And he's answered that because based on his review of them, Mr. Scarola.

BY MR. SCAROLA:

Q. Who told you that the manifests confirm the accuracy of your public statements?

MR. SCOTT: If it involves lawyer-client privilege, don't answer it.

THE WITNESS: Okay.

BY MR. SCAROLA:

Q. You're refusing to answer?

A. No, I would like --

MR. SCOTT: Instruct you not to answer.

A. -- to answer. But I've been instructed not to answer. I would like to answer.

You've made a statement --

MR. SCOTT: There's no question pending.

THE WITNESS: But he made a statement --

MR. SCOTT: But there's no question pending, sir.

BY MR. SCAROLA:

Q. What does it mean to make something up out of whole cloth?

A. It means that Virginia Roberts and your clients --

Q. No, sir, I haven't asked you anything about Virginia Roberts. I haven't asked you anything about my clients.

I want to know what the words "making something up out of whole cloth" mean.

A. I said those words in the context of Virginia Roberts.

MR. SCOTT: That's -- that's fine. Go ahead.

BY MR. SCAROLA:

Q. What do the words mean?

A. That there was absolutely no basis for Virginia Roberts' claim that she had any sexual contact with me. That the story was entirely false. I don't know where the metaphor derives about whole cloth, but certainly that's the common understanding. And I repeat under oath that Virginia Roberts made up the entire story about having sexual contact with me out of whole cloth.

Q. During the course of the same interview that we have been referencing with Hala Gorani -- for the record, that's H-A-L-A, G-O-R-A-N-I.

A. What page?

Q. Page 19.

You were asked: "I'm wondering, have you spoken to Jeffrey Epstein about this since these allegations came out in this suit in the United States? Have conversations happened there?"

MR. INDYKE: Objection. This is Darren. Anything that relates to your conversations with Jeffrey --

THE REPORTER: He's going to have to speak up.

MR. SCOTT: You're going to have to speak up a little bit more, Counsel.

MR. INDYKE: Objection. This is Darren Indyke. Anything that Alan might have to say to that, to the extent they are covered under conversations with Jeffrey Epstein, privileged under attorney-client privileges as well as common interest privileges.

MR. SCOTT: Do you understand?

THE WITNESS: I do.

BY MR. SCAROLA:

Q. To which your response was: "Sure, sure, certainly I have been his lawyer and I did speak to him about it. I wanted to make sure that his memory and mine coordinated about when I was at his island. He was able to check. I was able to check. I checked with my friends who went with me."

Did you make that answer to that question?

A. Yes.

Q. Disclosing the contents of your

communication with Jeffrey Epstein, correct?

A. I disclosed that I had spoken to him to find out whether he had any records of when I was on his island. And, yes.

MR. INDYKE: Again, this is Darren Indyke. Jeffrey does not waive any attorney-client privileges here.

BY MR. SCAROLA:

Q. Well, the reason why you were able to answer that question and discuss with the press what Jeffrey Epstein was telling you was because you weren't his lawyer at that time, right?

A. No, I was his lawyer at that time. I'm still his lawyer.

Q. Oh, what were you representing him on then --

A. The ongoing --

Q. -- that is, on January --

MR. SCOTT: Whoa.

BY MR. SCAROLA:

Q. -- on January 5, 2015?

A. The ongoing --

MR. INDYKE: My objection stands.

MR. SCOTT: You can answer what you were representing him on, I think.

A. The ongoing issues --

MR. SCOTT: But nothing about communications.

A. Right. The ongoing issues relating to the NPA, which continue to this day. And I regard myself as his lawyer basically on all those -- all those issues.

BY MR. SCAROLA:

Q. So, when the pleadings were filed in the Crime Victims Rights Act regarding your conduct in relationship to Virginia Roberts and Jeffrey Epstein, you were and still are his lawyer in the Crime Victim's Rights Act case; is that correct?

A. I certainly am bound by lawyer-client privilege and communications, yes.

Q. Okay. You go on to say in that same interview: "Only once in my life have I been in that area," referring to New Mexico.

A. Yes.

Q. "Only once in my life did my travel records show I was in New Mexico."

A. Uh-huh.

Q. Is that an accurate statement?

A. To the best of my knowledge. I have no recollection of being in New Mexico other than during that visit to the Ashes, which was not during the -- the narrower timeframe.

The narrower timeframe, remember, is Virginia Roberts meets Jeffrey Epstein in the late summer, the summer just before she's turning 16, of 1999. She says she didn't commence having sexual activities with any of Epstein's friends until nine months later. That would put it in March or April of 2000. This visit occurred in January of 2000. It's the only time I recall having been in New Mexico.

Q. Okay. I want to be sure now. You're not just saying that you were only at Jeffrey Epstein's ranch in New Mexico once; you are confirming your statement on national television that you have only been in New Mexico one time?

A. My recollection right now is that I was only there once. I have no -- no other recollection of -- it's conceivable when I was a very young man, I could have been there. But I have no recollection of having been there. It certainly -- certainly I haven't been there recently. And during the relevant time period, I know I haven't been there.

Q. "Recently" means --

A. Fifteen --

Q. -- the last 10 years?

A. I would say 15 --

Q. Last 15 --

A. -- years.

Q. -- how about the last 20 years?

A. I have -- I don't think so.

Q. Okay.

A. As I stand here today, I have no recollection of ever being in New Mexico except to visit the Ashes in January of 2000.

I'm 77 years old. I've lived a long life. It is certainly possible that at some earlier point in my life -- I mean, I've been in most of the states. But I have no recollection of ever being in New Mexico.

And I can tell you unequivocally the only time I was ever at Jeffrey Epstein's ranch was that one time with my wife with the Ashes, with my daughter. And we only stayed there for an hour and the house was not completed. It was under construction. And I certainly did not have any sexual encounter or any encounter with Virginia Roberts during that visit.

MR. SCAROLA: Move to strike the unresponsive portions of the answer.

MR. SCOTT: We don't agree on that point, so let's go ahead.

MR. SCAROLA: It's of any help, I can agree that you don't agree to any of my objections.

MR. SCOTT: No, that's not true. I mean, I'm trying to work with you, sir.

I have to tell you, this -- this is obviously one of the most acrimonious depositions I've sat through in my 40 plus years because of the personalities involved here and because of the personal issues. And it's quite difficult for everybody in this room.

MR. SCAROLA: I agree.

MR. SCOTT: And all I'm saying, and my client is -- who's 77, is trying to defend his life. And I understand you're trying to vigorously -- and you're a great lawyer -- represent your clients. And it's -- this is not the typical deposition. And we're trying our very best, both of us.

MR. SCAROLA: Thank you. And you're right, you and I do agree on something.

MR. SCOTT: As you said yesterday, more

often than we usually say.

MR. SCAROLA: Yes, sir.

BY MR. SCAROLA:

Q. In interviews on January 4 and January 5, you claim to have completed the necessary work to identify documents exonerating you within an hour after learning of the accusations that were made, correct?

A. I don't remember having said that. But within a minute, I had clear knowledge that every document in the world would exonerate me because I knew for absolute certainty that every aspect of her allegation was totally false. That's why I challenged the other side to produce videos, to produce photographs. I knew that there could be no evidence inculpating me because I knew I was innocent. So I knew that all of my records would prove that.

Facts are facts. And I just wasn't in any contact or any sexual contact with Virginia Roberts, and I knew with absolute certainty that the facts would completely exonerate me. And if your clients had just called me, at the courtesy of simply calling me, I would have been able to point them to Professor Michael Porter of the Harvard Business

School. I would have been able to -- to alert them to the Ashes. I would have been able to tell them that I keep little black books which have all of my travel information. Although they were in the basement of Martha's Vineyard, I would have been happy to go up and get them.

If they had just simply called me, I would have been able to persuade them without any doubt that these allegations were false. If they needed any persuading because I believe, as I sit here today, that they knew they were false at the time -- certainly should have known, but I believe knew they were false at the time that they leveled them.

Q. My question related to your gathering documents that you claim exonerated you --

A. That's right.

Q. -- and your public statements were that within an hour, you --

A. Can you --

Q. -- had gathered the documents --

MR. SCOTT: Listen to the question.

BY MR. SCAROLA:

Q. -- you had gathered the documents that exonerated you, correct?

MR. SCOTT: You can refer.

A. Where? Where? Can you point to that?

BY MR. SCAROLA:

Q. Well, I'm asking you, sir, based upon your superb memory whether you remember having said --

MR. SCOTT: No, we're going to do --

BY MR. SCAROLA:

Q. -- on Jan --

MR. SCOTT: He's going to take a moment to review the transcript and -- and that's -- any witness is entitled to do that. So why don't we take a break, he'll review transcript and we'll come back? We've been going an hour --

MR. SCAROLA: Because I haven't asked him a question about the transcript.

MR. SCOTT: You've asked --

MR. SCAROLA: I'm asking him a question about his recollection.

MR. SCOTT: Based upon what he said in the transcript.

MR. SCAROLA: No, I'm asking him whether he has a recollection of having made public statements that within an hour, he had gathered the documents that proved his innocence, exonerated him.

BY MR. SCAROLA:

Q. Do you remember having made those statements?

A. I do not, but it's true. I was able to gather documents literally within an hour. I was able to call Tom Ashe. He was able to access his daughter's journal notes that I had taught his daughter's class. I was able to find out where my other documents were.

My wife made some phone calls immediately. We called the Canyon Ranch. We called and determined the dates of when I was in Florida. We called the Porters. We very, very, very quickly were able to gather information that conclusively would prove that she was lying about me having had sex with me on the island, in the ranch, particularly those two I was able to prove conclusively.

And when a woman lies deliberately and willfully about two instances where she in great detail claims she had had sex, I think you can be clear that you should discount any other -- any other false allegations.

MR. SCOTT: We've been going for an hour. Let's take a break for a few minutes. Then we have another hour.

MR. SCAROLA: I'm almost ready to take a break.

MR. SCOTT: Okay.

MR. SCAROLA: Could you read back the last question, please?

First of all, I move to strike the unresponsive speech.

And now read back the last question, if you would.

(Requested portion read back as follows:)

THE REPORTER: "Do you remember having made those statements?"

Do you want me to read prior to that?

MR. SCAROLA: No, that's fine. That's the question that I asked.

BY MR. SCAROLA:

Q. Is the answer yes?

A. I don't remember specifically. I do generally remember having said that your clients could have easily discovered conclusive proof that Virginia Roberts was lying about me and that I had -- because I knew, of course, it was false --

MR. SCAROLA: Tom --

A. -- been able to uncover such proof.

MR. SCAROLA: That has nothing to do with the question I asked --

MR. SCOTT: Let's take -- let's take a break like I suggested and we'll come back and then you can ask your question and -- okay?

MR. SCAROLA: Well, while the question is pending, I would like an answer to the question before we break.

MR. SCOTT: Did you answer the question?

THE WITNESS: I thought I did.

A. But what -- could you repeat the question? I'll try to answer it in a yes or no if I can.

BY MR. SCAROLA:

Q. Did you make the statement that within an hour of learning of these allegations, you had gathered documents that completely exonerated you?

A. I don't recall those specific words --

Q. Thank you, sir.

A. -- but the truth --

MR. SCOTT: That's it, and I think he indicated that before.

MR. SCAROLA: That would be very helpful if we said that and then we stopped and we can take a break.

MR. SCOTT: He previously had said that

and then explained it but now you have it directly answered. So we're -- we're at a break point.

MR. SCAROLA: Thank you.

VIDEOGRAPHER: Going off the record. The time is approximately 11:01 a.m.

(Recess was held from 11:01 a.m. until 11:23 a.m.)

VIDEOGRAPHER: Going back on the record. The time is approximately 11:23 a.m.

BY MR. SCAROLA:

Q. When did you last travel from outside the State of Florida to arrive in Florida?

A. The day before yesterday, I think.

Q. And where did you travel from?

A. New York.

Q. When were you last in Boston, in the Boston area?

A. About two weeks ago.

Q. So, if anyone had represented that you were going to be traveling from Boston to Florida this past weekend, that would have been a misrepresentation; is that correct?

A. I have no idea what you're talking about.

Q. Well, I'm talking about your personal travels. If anyone had represented that you were

going to travel from Boston to Florida and canceled travel arrangements from Boston to Florida this past weekend, that would have been a misrepresentation, correct?

A. I have no idea what you're talking about. I'm sorry.

Q. Well, what is it that you don't understand about that question? Either you were in --

A. The basis --

Q. -- Boston and were planning on traveling from Boston to Florida this past weekend or the last time you were in Boston was two weeks ago, so you couldn't have been planning --

A. I --

Q. -- on traveling from Boston to Florida.

A. I was actually in Boston -- now that I checked my calendar, I was actually in Boston -- here, I have -- aha. It says -- and my calendar says I was in Boston. Then it says leave for Florida, but that got changed. Yes, that got changed, right.

Q. May I see that, please?

A. No, this is my personal calendar.

Q. Yes, I'm sorry, but if you refer to anything to refresh your recollection --

A. I have --

Q. -- during the course of the deposition, I am permitted to examine it.

A. I have lawyer-client privileged information in here, so I can't give it to you. I can give it to you in a redacted form. I have a quote from David Boies in here, which I'm sure --

MR. SCOTT: Don't --

A. -- nobody is going to want to see --

MR. SCOTT: We'll make a copy and give it to you.

MR. SCAROLA: Thank you. Would you hand it to your counsel, please?

MR. SCOTT: On that note, hold on to that.

THE WITNESS: But I need that back.

MR. SCOTT: Of course. Don't worry.

MR. SIMPSON: Hold on to it.

MR. SCOTT: That's why I gave it to him because I'd lose it.

BY MR. SCAROLA:

Q. Before January 21, 2015, what information did you have regarding what Bradley Edwards and Paul Cassell had gathered in the course of investigating the accuracy of Virginia Roberts' accusations against you?

A. Well, first, I knew that anything they gathered --

MR. INDYKE: Objection to the extent that requires --

MR. SCOTT: Whoa.

MS. McCAWLEY: -- you to disclose anything you gave --

THE COURT REPORTER: I can't hear.

I'm sorry, Mr. Indyke, can you repeat your objection?

MR. SCOTT: Can you say that a little louder?

MR. INDYKE: Darren Indyke. I would object to the extent that your answer would disclose anything you -- you obtained or learned or any knowledge you gained in connection with your representation of Jeffrey Epstein.

MR. SCOTT: Do you understand that instruction?

THE WITNESS: I do, yes.

Could you repeat the question?

BY MR. SCAROLA:

Q. Yes, sir. I want to know what information you had regarding what Bradley Edwards and Paul

Cassell had done in the course of their investigation of the credibility of the accusations made by Virginia Roberts against you?

A. Well, first and foremost, the most important piece of information I had was my firm and complete knowledge and memory that I had never had any sexual contact with Virginia Roberts ever under any circumstances or any other underage girls. So I knew --

Q. The question I'm asking, sir --

A. -- this information --

Q. -- focuses on what knowledge you had regarding what Bradley Edwards and Paul Cassell did in the course of their investigation of the credibility of the accusations against you made by Virginia Roberts?

A. That was the first and most important bit of information; namely, that I couldn't have done it and didn't do it. So I knew for sure that they could not have conducted any kind of valid investigation.

Second, I knew from -- that they also had a letter from Mr. Scarola that said that multiple witnesses had placed me in the presence of Jeffrey Epstein and underage girls and I knew that

Mr. Scarola's letter was a patent lie. And they had access to that letter and that information.

I also knew they were relying on depositions of two house people of Jeffrey Epstein. And I've read these two depositions. And I'm sure I knew of other -- other information as well.

I knew that they had stated -- I knew that they had stated publicly, or you had stated publicly on their behalf as a witness, that you had stated publicly that you had tried to depose me on these -- on this subject. I knew that that was a blatant lie and unethical conduct because nobody ever tried to depose me on this subject.

I had never been accused, nor did I have any knowledge that anybody had ever falsely accused me of having any sexual encounters. And I had a great deal of information about the paucity or absence of any legitimate investigation. And I also knew that they hadn't called me, they hadn't tried to call me, there was no record of an attempt to call me or e-mail me. My e-mail is available on my website. My phone number is available on my website.

The most basic thing they could have done, as courts have said, when you're accusing somebody of outrageous, horrible, inexcusable misconduct, at least call the person and ask them if they can disprove it before you file a -- a statement. Not even asking for a hearing on it, not even basically seeking to prove it, just -- just putting it in a pleading as if scrolling on a bathroom stall.

So, yes, I had -- I had a great basis for making that kind of statement and I repeat it here today. And we will find out in depositions what basis they actually had. And I'm anxiously awaiting Mr. Cassell's deposition this afternoon.

MR. SCAROLA: Move to strike the non-responsive portion of that answer.

Could I have a standing objection to unresponsive --

MR. SCOTT: Sure.

MR. SCAROLA: -- answers? That would be helpful. Thank you. I appreciate that. That will save us --

MR. SCOTT: Absolutely. No, any time.

MR. SCAROLA: -- save us some time.

MR. SCOTT: Thank you, sir.

BY MR. SCAROLA:

Q. The one portion of what you just said that directly responded to my question was you knew in

early January of 2015 that Bradley Edwards and Paul Cassell had the sworn testimony of two -- did you refer to them as house --

A. House people.

Q. House staff?

A. House staff.

Q. House staff of Jeffrey Epstein's --

A. That's right.

Q. -- correct?

And those two individuals are Juan Alessi and Alfredo Rodriguez, correct?

A. That's right.

Q. And you, in fact, were aware of the existence of that testimony from shortly after the time that the testimony was given, weren't you?

A. Well, I was certainly aware of it at the time I made these statements.

Q. Yes, sir. But you also knew as far back as 2009, when this sworn testimony was given, that you were specifically identified by name in the sworn testimony of Jeffrey Epstein's house staff members, right?

A. I was identified by name in a manner that completely exculpated me, yes.

Q. Okay. Well, let's -- let's take a look at

your assertion that the testimony of these two individuals completely exculpates you.

A. Uh-huh.

Q. The following question was asked of --

MR. SCOTT: What you are reading from?

MR. SCAROLA: I'm reading from the deposition transcript.

BY MR. SCAROLA:

Q. The following question was asked of --

MR. SCOTT: The deposition transcript --

BY MR. SCAROLA:

Q. -- of Mr. Juan -- Mr. Juan Alessi and --

MR. SCOTT: Let me object to the -- first of all, let me object to this format because he has not been provided a part of the deposition. You're reading portions from the deposition --

MR. SCAROLA: Yes, I am.

MR. SCOTT: -- which can be taken out of context. He has not had the ability to review the deposition. This is improper.

MR. SCAROLA: Okay.

MR. SCOTT: Cross-examination.

BY MR. SCAROLA:

Q. Do you recall the following questions having been asked of Mr. Alessi and the following

answers have been given during the course of this deposition which you contend completely exonerates you?

"Question: Do you have any recollection of VR, referring to Virginia Roberts, coming to the house when Prince Andrew was there?

"Answer: It could have been, but I'm not sure.

"Question: When Mr. Dershowitz was visiting --

"Answer: Uh-huh.

"Question: -- how often did he come?

"Answer: He came pretty -- pretty often. I would say at least four or five times a year.

"Question: And how long would he stay typically?

"Answer: Two to three days.

"Question: Did he have massages sometimes when he was there?

"Answer: Yes. A massage was like a treat for everybody. If they wanted, we call the massage, and they get -- excuse me -- and they have a massage.

"Question: You said that you set up the massage tables, and would you also set up the

oils and towels?

"Answer: Yes, ma'am.

"Question: And did you ever have occasion to go upstairs and clean up after the massages?

"Answer: Yeah, uh-huh.

"Question: Did you ever find any vibrators in that area?

"Answer: Yes. I told him yes.

"Question: Would you describe for me what kinds of vibrators you found?

"Answer: I'm not too familiar with the names, but they were like big dildos, what they call the big rubber things like that (indicating). And I used to go and put my gloves on and pick them up, put them in the sink, rinse it off and put it in Ms. Maxwell -- Ms. Maxwell had in her closet, she had like a laundry basket. And you put laundry in. She have full of those toys."

Is that testimony that exonerates you, Mr. Dershowitz? Is that what you were referring to?

MR. SCOTT: Let me -- objection to the form, improper cross examination by taking excerpts out of depositions of witnesses.

BY MR. SCAROLA:

Q. Is it your contention that that testimony, under oath, of your friend, Mr. Epstein's staff person, exonerates you?

A. First, a little background. Mr. Alessi was fired for theft of material from Mr. Epstein, so Mr. Alessi was not on a friendly basis with Jeffrey Epstein.

Second, the description of the dildos and sex toys clearly refers to the area of the house that I was never in, the area of Ms. Maxwell's room, rather than the area of the room that I stayed in.

Third, he gives no timeframe for the visits.

And, fourth, he certainly didn't in any way confirm that I was there while Virginia Roberts was there. His answer was simply that I was there from time to time. He's wrong about that. During the relevant timeframe, I was never in the house.

And even taking outside the relevant timeframe, the only time I was in the house for more than one day was when my family, my wife, my son, my daughter-in-law, my then probably seven or eight-year-old granddaughter, who just graduated Harvard, and my probably four-year-old grandson, who

is a third-year student at Harvard, were all there with me. That was the only time that I stayed over more than one night. And I never stayed even one night during the relevant timeframe.

But most importantly, he gives no timeframe. And clearly his reference to the sex toys is a reference to the part of the house that I was never permitted in and never entered.

Q. What is the question that you think you were answering?

A. Whether --

MR. SCOTT: He was explaining to you exactly why he felt that that was inappropriate, which is exactly what you asked him.

MR. SCAROLA: No, it is not.

MR. SCOTT: Well, it is my recollection, so I don't know --

MR. SCAROLA: Well, then --

MR. SCOTT: I think he was defending --

MR. SCAROLA: Let me try the same question over again.

MR. SCOTT: I think he was defending his -- his position.

THE WITNESS: Right.

BY MR. SCAROLA:

Q. The question was: Is that part of the time that you claim exonerates you?

A. Well, I think if you read the whole testimony, it clearly exonerates me and I think that part of the testimony in no way inculpates me and no reasonable person reading that could use that as a basis for making allegations that I had sexual encounters or misconduct with Virginia Roberts.

So, when -- if that's the best testimony that your unprofessional clients relied on, then clearly that exonerates me.

Again, the absence of evidence is evidence of absence. And the very idea that this is seen as some basis for concluding that I had sexual encounters with -- with Virginia Roberts, why wasn't he asked did he ever see me have a massage by Virginia Roberts? Did he ever see me have a sexual encounter with Virginia Roberts? Did he ever go to the room I was staying in and find any sex toys?

The answers to all those questions, if truthful, would be no.

Q. What was Mr. Alessi's motive against you? You've told us he was fired by Jeffrey Epstein, so he may have had some motive against Mr. Epstein.

What was his motive against you?

A. I was Jeffrey Epstein's friend and lawyer and, in fact -- well, I can't get into this. But I can say this, I gave advice --

MR. SCOTT: Be careful about anything involving --

THE WITNESS: Okay.

MR. SCOTT: -- Mr. Epstein, please.

A. He could easily have believed that I was one of the causes of his firing.

BY MR. SCAROLA:

Q. So, he was -- he may have been angry at you because you assisted in getting him fired?

A. It's --

MR. SCOTT: Objection, mischaracterization.

A. It's conjecture. It's possible. But in any event, even --

BY MR. SCAROLA:

Q. It's conjecture, is that what you were about to say?

A. I'm saying I have -- I don't know what he was thinking, but there is a basis for him believing that. But most -- most important, even if you take everything he says as true, which it's not, it's

exculpatory because it has no suggestion that I ever had any sexual encounter with Virginia Roberts.

And if I were a lawyer reading that --

MR. SCOTT: It's okay?

A. -- I certainly would not base this heinous accusation on that flimsy read.

BY MR. SCAROLA:

Q. You know the context in which that deposition was taken, don't you?

A. I don't recall it as I'm sitting here today.

Q. Do you remember that the lawsuit in which that deposition was taken was a lawsuit in which Virginia Roberts was being represented by Bob Josefsberg?

A. No.

Q. You know Bob Josefsberg, don't you?

A. We -- we were classmates at law school.

Q. You know Bob Josefsberg to be an extremely ethical, highly professional and extraordinarily well-respected lawyer, right?

A. Absolutely, yes.

Q. Absolutely?

A. Yeah.

Q. A man of impeccable honesty and integrity?

A. Yes.

Q. A man who would never undertake to advance the cause of a client whom he believed to be incredible, right?

A. Yes. And a man who told me and a man who --

MR. SCOTT: That's it.

A. Okay. And a man who believes I'm innocent.

BY MR. SCAROLA:

Q. You know that Bob Josefsberg would never file charges on behalf of a client alleging that she was lent out by Jeffrey Epstein for purposes of sexual abuse while she was a minor to academicians unless he absolutely had confidence that those statements were true --

MR. SCOTT: Let me object --

BY MR. SCAROLA:

Q. -- right?

MR. SCOTT: -- that this is completely irrelevant to the issues in this case. Whatever Mr. Josefsberg thinks has nothing to do with this lawsuit. This is all your effort to try to put Josefsberg into this case to try to give some justification to your position.

A. I'll answer that question.

BY MR. SCAROLA:

Q. Thank you.

A. And I also know Bob Josefsberg and know that he would never maintain a friendship, as he has with me, if he believed that I was one of the, quote, academicians --

Q. Well, how about --

A. -- with whom --

Q. -- answering my question --

MR. SCOTT: Wait a minute. No, no, no.

A. You're going to let me finish.

BY MR. SCAROLA:

Q. I know I'm going to go, but I don't have to like it --

MR. SCOTT: Yeah, but --

BY MR. SCAROLA:

Q. -- when you're not being responsive to the questions that are being asked.

MR. SCOTT: Yeah, but you're interjecting --

BY MR. SCAROLA:

Q. And --

MR. SCOTT: You're interjecting questions that are irrelevant utilizing Bob Josefsberg's relationship with him and he has an ability to justify and explain his position in response --

MR. SCAROLA: If it's responsive to the question.

A. It's responsive. And as far as the filibustering is --

BY MR. SCAROLA:

Q. Do you remember what the question is?

A. -- is concerned, I was here --

Q. Do you remember what the question was?

A. Yes. Yes.

Q. What is the question?

A. The question is -- no, why don't you repeat the question.

Q. Yes, sir.

A. So --

Q. You know that Bob Josefsberg would not advance allegations on behalf of a client that that client had been lent out by Jeffrey Epstein to satisfy the sexual desires of friends of Jeffrey Epstein, including academicians, unless Bob Josefsberg believed those allegations to be true, right?

A. I believe that -- I know that Bob Josefsberg would never maintain a friendship with

me, as he has, if he believed that I was one of those academicians. Bob Josefsberg knows that I was not one of those academicians, and the inference of your question is beneath contempt, sir.

Q. Could we try to answer the question now?

A. The answer is that Bob Josefsberg would never maintain a friendship with me if he believed that there was any possibility that I was among the academicians who she was accusing of sexual misconduct. I do not believe that she ever accused me of sexual misconduct to Bob Josefsberg, to the FBI, to the U.S. attorney, or even, sir, to you and Bradley Edwards, as she says in 2000, I think, '11. I think she made up this story on the eve of the filing in 2014.

Q. You do agree that Bob Josefsberg would not have advanced the claims that he advanced if he did not have confidence that they were true, correct?

A. I have no idea what he believed or knew at the time. I would say this: I know Bob Josefsberg is an extraordinarily ethical lawyer. I don't know what his responsibilities were in the case. I don't know whether his responsibilities were to make those kinds of judgments or whether his responsibility was simply to make sure that money was paid to each of

the people who the FBI had put on the -- the list. I just don't know what his responsibility was.

I can say with confidence that he would only act ethically and would, A, not represent -- not make any false statements the way your clients made them, and that I wish your clients had the ethics of Bob Josefsberg.

Q. You then agree that if Bob Josefsberg advanced the claims that I have described in a complaint on behalf of a client, he would not have done so unless he believed those allegations to be true, having conducted a fair and reasonable investigation, correct?

MR. SCOTT: Objection, asked and answered several times.

A. I don't know the answer to that question because I don't know the context in which he made these arguments. All I do know is that he never would maintain a friendship with me if he believed in any way that I was one of the people that she had accused.

BY MR. SCAROLA:

Q. Did Alfredo Rodriguez, another one of your friend's staff persons, have a motive to lie against you?

A. Alberto Rodriguez --

Q. No, sir, Alfredo Rodriguez.

A. Alfredo Rodriguez, I never knew him by name. He was, of course, there out -- well outside of the timeframe of the alleged events in this case. And so anything that he would be able to testify to would bear no relationship whatsoever to the -- the allegations here.

He was criminally prosecuted, to my memory, for having stolen material and turned it over to Bradley Edwards is my recollection. And as the result of that clearly had a motive to lie. And the same with Mr. Alessi, clearly would have a basis for believing that I may have played a role as Jeffrey Epstein's lawyer in seeking to do harm to him.

But again, there's nothing in Mr. Rodriguez's testimony which is in any way inculpatory of me. I think he has me sitting and -- and reading a book and drinking a glass of wine.

Q. In the presence of young women?

A. No.

Q. No?

A. I don't --

Q. Do you --

A. -- believe that.

Q. -- recall the following testimony --

A. It wouldn't be true if he said it.

Q. Yes, sir. Well, do you recall the following testimony having been given by Mr. Alfredo Rodriguez in a deposition that was taken on August 7, 2009?

"Question: Mr. Rodriguez, you stated last time that there were guests at the house, frequent guests from Harvard. Do you remember that testimony?

"Answer: Yes, ma'am.

"Question: Was there a lawyer from Harvard named Alan Dershowitz?

"Answer: Yes, ma'am.

"Question: And are you familiar with the fact that he's a famous author and famous lawyer?

"Answer: Yes, ma'am.

"Question: How often during the six months or so that you were there was Mr. Dershowitz there?

"Answer: Two or three times.

"Question: And did you have any knowledge of why he was visiting there?

"Answer: No, ma'am.

"Question: You don't know whether or not he was a lawyer acting as a lawyer or whether he was there as a friend?

"Answer: I believe as a friend.

"Question: Were there also young ladies in the house at the time he was there?

"Answer: Yes, ma'am.

"Question: And would those have included, for instance, Sarah Kellen, Nada Marcinkova?

"Answer: Yes, ma'am.

"Question: Were there other young ladies there when Mr. Dershowitz was there?

"Answer: Yes, ma'am.

"Question: Do you have any idea who those young women were?

"Answer: No, ma'am.

"Question: Were there any of these -- excuse me. Were any of these young women that you have said came to give massages?

"Answer: Yes, ma'am."

Do you recall that testimony having been given --

A. Yes.

Q. -- and those answers having been given to that testimony?

A. Yes.

MR. SCOTT: Objection. This is totally improper cross examination of a witness by trying to use a deposition. The only purpose of doing this is to interject this into the record, which has no relevance and would not be admissible at trial. And in any case, he never actually has my client doing any of the things that you've accused him of.

Go ahead, let's go ahead and do it. Answer the question. Answer the question.

MR. SCAROLA: He did.

A. Yes, I remember that.

MR. SCAROLA: He said yes.

A. Yes, I remember that, yes.

BY MR. SCAROLA:

Q. And do you know why it was that back in 19 -- excuse me, back in 2009, August of 2009, four and a half years before you allege that this story about you was being made up out of whole cloth, that lawyers representing Jeffrey Epstein's victims, including Katherine Ezell, E-Z-E-L-L from Bob Josefsberg's office, who had filed the complaint alleging that you had -- excuse me, that Virginia Roberts had been lent out for sexual purposes to academicians, were asking specific questions about you? Do you know why it was in 2009 they were doing that?

A. I have no idea that it happened. And I imagine that they had a list of every academic that was in the house. Probably included --

MR. SCOTT: I want to object to this whole procedure because you're taking pieces out of the record and not reading other pieces that totally absolve my client. For example, there's testimony by him that says --

MR. SCAROLA: Is this an objection?

MR. SCOTT: Yes, it's a statement into the record just like you're putting into the record. There's -- I want to show this to my client and refresh his memory as to some other testimony by this witness --

MR. SCAROLA: There's no question pending as to what you can -- as to what you can refresh your client's memory. What you are doing is coaching him.

MR. SCOTT: No, I'm not.

MR. SCAROLA: Improperly.

MR. SCOTT: And you are improperly reading excerpts out of a deposition to try to imply something when there's other parts that totally are inconsistent with that. And if you're going to do that, then he has the ability under our rules to review the entire transcript of the deposition and that's what I'm permitting him to do, just like when we're in court.

MR. SCAROLA: What I am doing, Mr. Scott -- what I am doing, Mr. Scott --

MR. SCOTT: Have you read that now, sir?

MR. SCAROLA: -- is reviewing the evidence that was relied upon by Bradley Edwards and by Paul Cassell in coming to the conclusion that the allegations that had been made by Virginia Roberts were, in fact, credible allegations.

MR. SCOTT: And I'm --

MR. SCAROLA: Because your own client has acknowledged that this is information that was available to both him and to them back in 2009.

MR. SCOTT: And what I am doing is showing him portions of the same deposition that totally take a different position from this witness from what you have read, so that this record is a complete record and not a partial record with your inference only. And I feel

that that's totally appropriate. If we were in a courtroom, a judge would permit him to do it.

So you have your position and I have mine.

MR. SWEDER: Can we have the witness read that?

BY MR. SCAROLA:

Q. Do you recall the following testimony having been given in that same deposition?

"Question: All right. This is follow-up to questioning by Ms. Ezell. Ms. Ezell asked you about Mr. Dershowitz being present in Mr. Epstein's home, and I think you said -- I think you said Mr. Epstein and he and Mr. Dershowitz were friends?

"Answer: Yes.

"Question: She also, I think, asked was Mr. Dershowitz ever there when one of the young women who gave a massage was present in the home.

"Answer: I don't remember that.

"Question: That's where I want to clear up. Is it your testimony that Mr. Dershowitz was there when any of the women came to Mr. Epstein's home to give a massage?

"Answer: Yes."

Do you remember that testimony having been given?

A. I assume that when your clients used the transcript as a basis for their false conclusion that I was guilty, they read the whole transcripts, not just the --

BY MR. SCAROLA:

Q. Every word.

MR. SCOTT: Don't interrupt him.

BY MR. SCAROLA:

Q. You don't need to assume that. I will stipulate they read every word.

MR. SCOTT: Mr. Scarola, he's speaking. You don't have a right to do this.

A. And if you read every word, you will see that it's totally exculpatory, that I have no idea whether there were any young women in one part of the house when I was in another part of the house. It's completely consistent with my testimony that I have never seen any underage women. Let's see.

And if you read the whole transcript, you'll see, I think:

"Was Dershowitz ever there when one of the woman gave a massage?

"I don't remember that.

"Were you in -- were you in any way attempting in your response to imply that Mr. Dershowitz had a massage by one of these young ladies?

"I don't know, sir.

"You have no knowledge?

"No, sir.

"And you certainly weren't implying that that occurred; you just have no knowledge, correct?

"Answer: I don't know."

And I would hope that your clients would be reading the whole thing in context, unlike what you've tried to do to try to create a false impression that this testimony in any way exculpates me.

I have to say if this is what they relied on, my confirmation of their unethical and unprofessional conduct has been strongly corroborated by that and you're helping my case.

BY MR. SCAROLA:

Q. Would it have been reasonable for Bradley Edwards and Paul Cassell to have relied upon the detailed reports of Palm Beach police department?

A. I don't know. I don't know what the Palm

Beach police department says.

Q. You never read those reports?

A. I don't know which reports you're referring to.

Q. All of the reports about Jeffrey Epstein.

MR. SCOTT: Asked and answered yesterday on this whole line.

A. I probably did not read all the reports on Jeffrey Epstein. I'm sure I've read some of them. I do not recall --

MR. SCOTT: Be careful about any work -- attorney-client privilege.

THE WITNESS: Right.

A. I don't remember my name coming up. I was the lawyer during that period of time.

BY MR. SCAROLA:

Q. To the extent that Bradley Edwards and Paul Cassell relied upon detailed reports from the Palm Beach police department in order to assess the credibility of Virginia Roberts, would it be reasonable for them to rely upon police reports?

A. I would hope that they would rely on all the police reports, including the ones that showed that she was involved in criminal actions, including the ones that would show that she took money as an

adult to provide sexual services to people.

I would hope they would look at all the reports, not just selected portions of those reports.

Q. Would that include the reports of the Federal Bureau of Investigation?

A. I would hope so.

Q. Would that include the information provided by the U.S. Attorney's Office?

A. I would sure hope so, and I could tell you that the --

Q. Would that include --

A. Let me just say that the U.S. Attorney's Office has told me unequivocally that my name never came up in any context of any accusation against me during the negotiations.

Q. Is this part of your work product that you're waiving right now?

MR. SWEDER: No, no.

A. My conversation with Jeffrey Sloman is not work product.

MR. SCOTT: Here's a --

BY MR. SCAROLA:

Q. What is the work product --

MR. SCOTT: Excuse me. Please review

this.

A. Excuse me one second.

MR. SCOTT: You know, you think this is funny and I think this man's -- and I think this man's --

MR. SCAROLA: I think it's improper for you to be coaching the witness in the middle of examination. If you think that there's something that needs to be brought out, you do that in cross examination. You don't feed him information that you want him to be reading in the middle of my examination of this witness.

MR. SCOTT: No. But it's also true that under our rules, when you read portions of a deposition, he has the ability to read other portions of the deposition which clarify the answers. That's done in every courtroom on every time a witness -- you have selected portions of it that are not accurate based on other portions and I am having him review them since you did not offer him the deposition to review.

MR. SCAROLA: And that's what you do --

MR. SCOTT: And I think that's totally proper --

MR. SCAROLA: -- in cross examination. It is --

MR. SCOTT: -- to do. No --

MR. SCAROLA: -- improper.

MR. SCOTT: No.

MR. SCAROLA: There's no question pending as to which that's relevant. But let's take a look at what you're showing him.

MR. SCOTT: Sure. Why don't you read it into the record?

THE WITNESS: I've read it.

MR. SCOTT: Read it into the record so that Mr. Scarola is advised.

A. "Okay. When Alan Dershowitz was in the house, I understand you to say that these local Palm Beach girls would come over to the house while he was there, but you're not sure if he had a massage from any of these girls?

"Exactly.

"And what would he do while these girls were in the house?

"He would read a book with a glass of wine by the pool, stay inside.

"Did he ever talk to any of the girls?

"I don't know, sir.

"Certainly he knew they were there?

"I don't know, sir."

That's the best you can do? That's really the best you can do? You think a professional lawyer would make these allegations based on "I don't know, sir."

MR. SCAROLA: Is there a question pending, Mr. Scott?

MR. SCOTT: He's reading -- you asked him what he was reading --

MR. SCAROLA: Yes, sir.

MR. SCOTT: -- from and I had him publish it.

MR. SCAROLA: Yeah, I know, and then he went on to make a speech. So I know I don't have to do it, but I'm compelled to move to strike the unresponsive speeches.

MR. SCOTT: And I consider these to be a response to the interrogation that you did taking excerpts improperly and not having the entire record in front of him, which he's entitled to do to make that the record is complete. And I intend to protect him in that way.

BY MR. SCAROLA:

Q. So we have agreed that it was reasonable for Bradley Edwards and Paul Cassell, in assessing the credibility of Virginia Roberts, to rely upon police reports, FBI reports, U.S. Attorney's Office information, and information from the Palm Beach County State Attorney's Office, correct?

A. No.

Q. No?

A. No. It would not be enough for them to do that --

Q. I didn't ask you whether it was enough.

A. You said it was --

Q. I asked you: Would it reasonable for them to rely upon those sources of information in assessing the credibility of Virginia Roberts?

A. Not alone, not without looking at --

Q. That wasn't my question.

A. -- other sources of information.

MR. SCOTT: Wait a minute.

BY MR. SCAROLA:

Q. Well, what he's relying upon --

MR. SCOTT: You're not the judge here. Let him -- ask a question and let him answer it and not cut him off, please.

A. Let me answer. "Rely" connotes to me that they would place a heavy emphasis on that to the exclusion of other things and that it would be enough. And so my answer is, yes, they certainly should have read all the reports. They certainly should have read all the transcripts. But they also should have called me, they should have made other inquiry, and they should have made sure that they read all of these depositions and reports in context.

And if you're implying that there are FBI reports that in any way inculpate me, that's inconsistent with the information I have from Former Chief of Assistant Jeffrey Sloman, who was prepared to file an affidavit saying that that wasn't the case but was prevented from doing so by the Justice Department.

MR. SCOTT: It's about noon now. So I guess we're heading -- we're wrapping this up?

MR. SCAROLA: Not quite yet.

BY MR. SCAROLA:

Q. You do agree that the allegations that Virginia Roberts made against Prince Andrew were well-founded allegations, correct?

A. I have absolutely no idea. I've met Prince Andrew on a number of occasions in a public context. He came and spoke in my class at Harvard law school. The dean then had a dinner in his -- or lunch in his honor. I was then invited to a dinner at the British Consulate.

I've never seen him in the presence of any underaged women, so I have absolutely no basis for reaching any conclusion whatsoever about Prince Andrew.

Q. So you don't know one way or another whether those allegations are true or false?

A. Neither do you. Nobody would know except two people, I imagine. But I don't know. Of course not.

Q. All right.

A. But I presume --

Q. You say you have never seen him --

A. -- people innocent --

Q. -- in the presence of any underaged women, but you've seen photographs of him in the presence of an underaged woman, correct?

A. I have, yes.

MR. SCAROLA: May we mark this as the next numbered exhibit, please.

A. And I want to note --

THE REPORTER: Hold on. Hold on.
A. -- the absence of any --
MR. SCOTT: She can't take it down.
THE WITNESS: Sorry.
(Thereupon, marked as Plaintiff Exhibit 8.)
THE REPORTER: It's okay. Go ahead.
A. And I want to note the absence of any photograph of me with Virginia Roberts.
BY MR. SCAROLA:
Q. That's the photograph that you were referring to?
A. I've seen this photograph in the newspapers.
Q. Yes, sir. And the woman on the far right of that photograph, who is that?
A. Ghislaine Maxwell.
Q. The woman that you and your friend Jeffrey Epstein have traveled with repeatedly, correct?
A. No. A woman who I may have traveled with on two or three occasions. I can't think of more times than that that I traveled with her, but it's possible. But not -- I wouldn't say repeated occasions. I've --
Q. Well --

A. -- probably been in her presence fewer than a dozen times.
Q. I'm going to hand you --
A. But just to be clear, what I knew about Ghislaine Maxwell was that she was the daughter of a prominent British publisher --
Q. I haven't asked you what you knew about Ghislaine Maxwell. I asked you --
A. Well, you asked --
Q. -- whether or not you recognized her in the photograph?
A. Yes. Yes.
Q. Thank you very much, sir.
I'm going to hand you an airport codes log that identifies the airports that are identified by abbreviations in the case -- in case that is of some assistance to you in answering the next series of questions that I'm about to ask you.
A. Right.
Q. And I'm going to hand you this composite exhibit, which we will mark as the next numbered composite.
A. Uh-huh, right.
(Thereupon, marked as Plaintiff Exhibit 9.)

THE WITNESS: Excuse me, I need to a take a very quick bathroom break.
MR. SCAROLA: That's fine.
THE WITNESS: Probably be two minutes or less than two minutes.
VIDEOGRAPHER: Going off the record. The time is approximately 12:03 p.m.
(Sidebar held off the record.)
MR. SCAROLA: While we're waiting, let me mark the next numbered exhibits as well. That will save us some time.
MR. SCOTT: What is this?
MR. SCAROLA: Her calendar, his calendar.
MR. SCOTT: Who's calendar is this, Carolyn's?
MR. SCAROLA: Okay. This is Number 10.
MR. SCOTT: Carolyn's calendar.
(Thereupon, marked as Plaintiff Exhibit 10.)
MR. SCAROLA: This is Number 11.
(Thereupon, marked as Plaintiff Exhibit 11.)
MR. SCAROLA: This is Number 12.
(Thereupon, marked as Plaintiff Exhibit 12.)

BY MR. SCAROLA:
Q. Mr. Dershowitz, I have handed you a composite exhibit that is marked as Number 9.
A. Yes.
Q. The first document in that composite is a page from --
MR. SCOTT: Here's Number 9.
BY MR. SCAROLA:
Q. -- is a page from your wife's calendar; is that correct?
A. Yes.
MR. SCOTT: Take a moment to review the exhibit, please.
A. Yes, it looks like -- I'm looking at the first page. It looks like my wife's -- my wife's handwriting, yes.
BY MR. SCAROLA:
Q. And the second page is another page from your wife's calendar; is that correct?
A. Looks like it, yes.
Q. And --
MR. SCOTT: Take the time to review it before you answer questions, please.
A. Right.

BY MR. SCAROLA:

Q. And can you determine from the calendar entries here where your wife is during the period of time that's covered by these calendar entries?

A. I would have to look at a particular entry. If it describes where she is, yes.

Q. Okay. Well, tell me where she is.

A. What day?

MR. SCOTT: Which one? What point?

BY MR. SCAROLA:

Q. The period covered by this calendar between December 7 and December 13.

A. What year?

Q. You know what, I can't tell you what year it is from these calendars. So you tell me.

I suggest to you that this is a calendar from December of 2000, since the next two months at the top of the calendar are January 2001 and February 2001. So let's assume that since it is a page from a calendar that appears to be December of 2000, that it's December of 2000.

That would be a reasonable conclusion, wouldn't it?

A. I have no idea.

Q. You don't know?

A. I don't know. I mean, I don't know -- you said you don't -- you can't tell what the year is, so --

Q. Well, I'm telling --

A. -- I can't tell what the year is.

Q. -- you that it appears to be December 2000 because the next two months at the top of the calendar are January of 2001 and February of 2001.

A. I only see -- I'm sorry, we're probably looking at different things. I see November 2000, December 2000. I don't see January or anything like that. Maybe you can show them to me. Oh, it's on the first page.

Q. First page, yes, sir.

A. So it's in reverse order.

Yeah, so the pages are in reverse order. The first page says on top January 2001, February 2001 and the second page says November 2000, December 2000, yeah.

Q. So it appears we're looking at December 2000, correct?

A. When we're looking at which page? When we --

Q. Both pages.

A. Well, one is January/February and one is

December.

Q. One shows the subsequent two months and the --

A. Okay.

Q. -- other one shows --

A. Yes.

Q. -- the preceding and following month, correct?

A. Yes, that does look like it's December of 2000, yes.

Q. Okay, sir. So look at the calendar and tell me where it appears your wife is during this period of time.

A. The whole period of time?

MR. SCOTT: Please read the exhibit, all the pages, thoroughly, so that you have a full context.

A. It says, A.D. in Boston. That means I was in -- in Boston.

It says Charleston, New York. It says book fair. It says book fair. It says A.D. in Boston.

It then says the Halbreiches arrive. They -- they were probably our guests.

BY MR. SCAROLA:

Q. Your guests at home in Cambridge, Massachusetts, right?

A. No, I don't know. I don't know. Halbreiches arrive.

And I can't really tell from here where Carolyn is. McDonalds -- let's see, this is 2000 and what year? 2001. 2000. Yeah, yeah.

So tell me what you're looking for. I'll try to --

Q. I want to know where your wife was during this period of time if you can tell from the calendar entries.

A. Well, she may have been in -- there's something about Charleston. There's something about New York. There's something about me being in Boston. I really can't tell much beyond that.

Q. Okay. So you don't know one way or another from these calendar entries where your wife was during this period of time; is that correct?

A. I can't tell that from this entry, no.

Q. What we can tell from the entry in the bottom right-hand corner --

MR. SCOTT: Which page?

A. Which page?

BY MR. SCAROLA:

Q. Of the first page of this composite is that there is a notation that says Alan Dershowitz 11:45 a.m., New York City, right?

A. Eleven -- A.D. 11:45 and then there's a word that I can't read.

Q. How about a.m.?

A. Oh, 5:00 a.m., New York City, yes.

Q. Okay. Thank you, sir.

And the next page, where did -- where did your wife have opera instructions?

A. I have no idea. We go to the opera in Boston, we go to the opera in New York, we go to the opera in Florida. We do a lot -- a lot of opera. I don't know what "opera instructions" means.

Maybe it would be best if you asked my wife about these things. It's her calendar.

Q. I -- I intend to, sir, but --

A. Sure.

Q. -- these are calendars that you produced as part of the evidence that you contend exonerates you. So, I assumed that you had some knowledge of the meaning of these pages.

A. No.

Q. But I may be wrong.

A. We have --

Q. So you're telling me that you don't know where she was and that's --

A. We just -- we just gave you everything we had --

MR. SCOTT: We provided hundreds and hundreds of pages. You're picking out one.

BY MR. SCAROLA:

Q. Let's go -- let's go to the next page, if we could, please, the third page in this composite.

A. The third, okay. Third, okay.

Q. And can we agree that this is a calendar from December of 2000?

A. Yes.

Q. Can we agree it's your calendar from December of 2000?

A. That's right, yeah.

Q. And can we also agree that during this period of time, you were making regular appearances in New York on Court TV?

MR. SCOTT: Review the document before you answer the question, please.

A. It says 12/30, Court TV, yes. There was a period of time where I had a contract with Court TV and I would appear when they asked me to, yeah.

BY MR. SCAROLA:

Q. And you would appear in New York --

A. Well, no --

Q. -- for those Court TV appearances --

A. I would appear --

Q. -- on a regular basis, correct?

A. I would appear wherever I was. So when I was in New York, I appeared in New York, but they would do it by remote when I was in a different city. And I clearly did some remotes for Court TV.

Q. In fact, you took an apartment in New York for purposes of convenience to facilitate your New York Court TV appearances, correct?

A. Totally false.

Q. Did you have an apartment in New York during this period of time in December of 2000?

A. I had an apartment for -- I've had an apartment in New York for 30 -- 30 years or more. But I certainly didn't take an apartment for purposes of Court TV, no.

Q. On Tuesday, December 12, the entry is 1:30, Jeff, correct?

A. Right. Yeah.

Q. And that's a reference to Jeffrey Epstein, correct?

A. I don't -- I don't know.

Q. Well, what other Jeff might it be?

A. I know -- I know many, many Jeffs.

Q. Tell me which other Jeffs it might have been a reference to --

A. I have no idea.

Q. -- on this calendar page.

A. I just have no idea. I would be speculating.

Q. During the same period of time on December 12 when there's a calendar entry that reflects 1:30, Jeff, we know from the flight logs that Jeffrey Epstein traveled on December 11 from Palm Beach International Airport to Teterboro Airport, which is the private plane facility that services the New York Metropolitan area.

A. I have no idea.

Q. You don't know?

A. No, I have no idea whether he was on that plane. I haven't seen the flight log.

Q. Well, I'm calling your attention to the flight log. It's the next page.

A. It's the next page here?

Q. Yes, sir.

A. Okay.

Q. December 11, 2000, PBI to Teterboro, passengers, Jeffrey Epstein --

A. Wait a second. I have to find it.

MR. SCOTT: Well, let him -- let him read the exhibit.

A. What -- what's the date?

BY MR. SCAROLA:

Q. December 11.

A. December 11. Yes, I see that.

Q. Palm Beach International Airport to Teterboro?

A. Right, yeah.

Q. Passengers, Jeffrey Epstein?

A. Right.

Q. GM, a reference to Ghislaine -- excuse me, Ghislaine Maxwell.

A. Uh-huh.

Q. And ET and Virginia, right?

A. That's what it says, yes, sir.

Q. And then we see three of the same four passengers leaving the New York area.

A. Uh-huh.

Q. To fly to another destination three days later on December 14, correct?

A. Yes.

Q. And let's look at the next page of your wife's diary for December 13, the period of time when the flight log shows Jeffrey Epstein and Virginia in New York --

A. Uh-huh.

Q. -- at the same time when it would appear that you were in New York. And at the bottom of this calendar, Wednesday, December 13, A.D., massage, right?

A. 10:00 a.m. it says? What is it?

Q. It says 10, 10-A.D. massage?

A. Yeah.

Q. Okay.

Let's go to the next composite.

A. I don't have -- there's another page after that. Oh, the next composite.

Q. Yes, sir.

A. Yeah.

Q. Composite Number 10.

A. Uh-huh. But -- but I just want to be clear. So you're saying Carolyn was with me in New York during that period of time.

Q. No, I'm not saying that at all, sir. I suggest that when we take a close look at the calendar, it's going to reveal something other than that, but that you were in New York at the same time Jeffrey Epstein --

A. And that Carolyn --

Q. -- and Virginia were in New York and you were --

A. And that Carolyn arranged for a massage.

Q. -- having a massage.

A. And that my wife arranged for a massage.

Q. No, I didn't say that at all, sir?

MR. SCOTT: Well, that's what he's saying that the record reflects.

A. The record --

MR. SCOTT: Don't cut him off.

A. -- reflects that Carolyn -- Carolyn always wanted me to have massages because she thought it would relax me. I don't like massages particularly, but when Carolyn arranged massages, almost always we had them together at the same time. We would have the same masseuse, sometimes a man, sometimes a woman, come to the house and give us massages together.

The idea that my wife would arrange for me to have a massage with an underage girl for sexual purposes is so bizarre and absurd as to defy any kind of credibility, but go on.

BY MR. SCAROLA:

Q. Yes. Thank you very much, sir.

A. Go on.

Q. I intend --

MR. SCOTT: Since you're both smiling, there seems to be some humor that I'm missing here. I guess I --

MR. SCAROLA: Well, I'm missing the humor too.

BY MR. SCAROLA:

Q. Let's go to Composite Exhibit Number 10.

A. Yeah.

Q. The first page of that composite exhibit is a photocopy of pages from your personal calendar in January 2001, correct?

A. That's right, yes.

Q. Another Court TV appearance on January 11, correct?

A. January 11.

Q. Yes, sir. Thursday, January 11, entry in the left-hand column, Court TV.

A. Entry on -- yes, January -- I see it as -- I see it on January 12. I don't see it on January 11, but...

BY MR. SCAROLA:

Q. I'm sorry, maybe it is January 12, but some time between the 11th and 12th, either on the 11th or on the 12th, it's Court TV, correct?

A. No, no, no. You're just totally --

Q. It's the 12th --

A. -- wrong -- it's the 12th, yes.

Q. Okay. Good. Thank you.

A. It's clearly stated on the 12, yeah.

Q. Okay. And then on Friday, the 19th, a week later, another Court TV appearance, correct?

A. 19th. Yes.

Q. Okay. And on the 26th on Friday, another Court TV appearance, correct?

A. That's what it says, yes. These were all --

Q. During this period of time --

MR. SCOTT: Whoa. Let -- let him finish his answer.

A. These are all scheduled appearances. I assume that I did them. These -- these were -- when they requested me to -- to do them, I would do them, yes.

BY MR. SCAROLA:

Q. Okay. And it looks like you're appearing

on a scheduled basis every Friday during this period of time?

A. I don't think that was right. Yeah, I don't think that was right. I think that they called me when they wanted me. And it may have been several Fridays in a row, but I think it depended on breaking news at the --

Q. What is "scheduled appearance" --

MR. SCOTT: Well, wait a minute. Let him finish his questions [sic].

A. It would depend very much on whether there was a particular trial because I would be the commentator on the trial, along with other lawyers. And there were some days when there were trials and some days when there weren't and I would be available because I was living in New York at the time.

BY MR. SCAROLA:

Q. On Tuesday, the 16th, there is an entry that says Epstein, right?

A. On Tuesday, the 16th?

Q. Yes, sir.

A. Where are we? Which calendar now?

Q. Page 2. Page 2 of the composite, Tuesday, the 16th, Epstein.

MR. SCOTT: Wait a minute. Let him get to it.

A. 2 of the composite. Page 2, and what -- what day are we on?

MR. SWEDER: Do we even have it?

MR. SCOTT: I'm sorry. Excuse me. Do we have copies of this exhibit?

MR. SCAROLA: I've given you copies of everything --

THE WITNESS: Were these produced in discovery?

MR. SCOTT: I assume.

A. Okay. What are we up to? What page?

BY MR. SCAROLA:

Q. Page 2 of Composite Exhibit Number 10.

MR. SCOTT: Okay. Now, stop.

BY MR. SCAROLA:

Q. Tuesday, the 16th.

MR. SCOTT: What year are we talking about now?

MR. SCAROLA: 2001, the only year covered in this composite exhibit.

A. Yeah, dinner foreign policy Epstein, that was dinner we had at Jeffrey Epstein's house with a group of very distinguished foreign policy experts,

yes.

BY MR. SCAROLA:

Q. All right, sir. Let's go to the next page. I've just focused on this period of time in January 2001 and on Friday, January 12 --

A. So we're going back to Friday, January 12. Yeah.

Q. Your wife is in Cambridge, correct?

A. No, I don't think so. My wife was living in New York with me at the time. I don't see any record of her being in Cambridge.

She was -- we were living together in New York at NYU downtown. I was a visiting scholar. Having been appointed by John Sexton of NYU to be a visiting scholar, we were there for the year. And my wife was with me during the year. Our daughter was in school in New York. She went to Little Red Schoolhouse in New York. And we had -- our life was in New York for a period of one year.

Q. And on Friday, January 12, you had another massage, right?

A. I don't see anything on my record that --

Q. Massage, A.D.?

A. We must be looking at the different pages.

Q. Friday, January 12, page 4 --

A. Who's --

Q. -- of Composite Exhibit 10.

MR. SCOTT: Let me see the page you're talking about so he can --

MR. SCAROLA: I've given you the entire calendar.

MR. SCOTT: Come on, Jack.

MR. SCAROLA: I've given you the entire composite --

THE WITNESS: So you're talking about my wife's --

MR. SCAROLA: Fourth page -- fourth page of Exhibit 10. You have Exhibit 10, I've given a copy of that.

MR. SCOTT: I understand it and he has it front of him and I'm trying to get him to the right page. Thank you. Please take it down.

BY MR. SCAROLA:

Q. Fourth page, Composite Exhibit 10.

A. Yes.

Q. Friday, January 12.

A. Okay. That's very simple. We were both in Cambridge and I had a massage in Cambridge. How do I know that? Because it had basketball. And that's where I play and watch basketball was in

Cambridge. So probably I was in Cambridge if it says B ball 3:30, 4:15 and says Cambridge with Ella, so I'm sure I was in Cambridge.

Q. All right. So --

A. But I'm -- I'm looking at my wife's calendar. I can't tell you and nor can you tell me where I was at that period of time.

Q. So, the basketball entries are references to your watching basketball in Cambridge?

A. No. They could be playing basketball. I played basketball in those days --

Q. Watching or playing basketball?

MR. SCOTT: Let him finish his answer, please.

A. I either watched basketball or played basketball, yeah. I did not go to basketball games in New York, to my recollection, unless the Celtics were in New York and maybe we can check --

MR. SCOTT: You've got about five minutes, Counsel.

BY MR. SCAROLA:

Q. The Celtics didn't play from 4:15 to 5:00, did they?

A. No, but I did.

Q. You did?

A. Uh-huh.

Q. Okay. Or from 3:30 to 4:15, that would be a playing time for you in Cambridge; is that correct?

A. You'd be asking me to speculate. I can't speculate based on my wife's calendar. It says utility bill, Reservoir address. That suggests Cambridge. Reservoir is our house in Cambridge.

Q. So, it would appear that this is another massage that you got somewhere?

A. But I would like to also say one thing. I don't -- I at least wonder were these records available to your clients at the time they made the false accusations against me or are they after-the-fact constructs designed to simply try to find excuses to justify their false allegations? It seems to me the latter is probably the case.

Q. And you are going to have an opportunity through your counsel to ask those questions.

A. And we will.

Q. And my clients are anxious to be able to answer those questions.

A. Not as anxious as I am to hear their answers.

Q. Okay.

MR. SCOTT: Okay. Let's wrap it up.

MR. SCAROLA: Not quite.

MR. SCOTT: Yeah, it's 12:30. I'm ending this. That gives you three and a half hours. We take a lunch break and then we have three and a half.

MR. SCAROLA: We don't need three and a half hours for lunch.

MR. SCOTT: No, I didn't say that. I said we take an hour break and then we have three and a half hours with your client, just like...

MR. SCAROLA: If -- if that's what you want to do --

MR. SCOTT: That's the fair thing to do because that's why we're dividing it equally and I suggested that --

MR. SCAROLA: I will state -- I will state for the record that Exhibits 2, 3 and 4 -- excuse me, Exhibits 9, 10, 11 and 12, composite exhibits, directly conflict with the witness's assertion --

MR. SCOTT: This is all a speech on your part.

MR. SCAROLA: It is a speech.

MR. SCOTT: It is a speech and --

MR. SCAROLA: I'm giving you notice as to what you can do to do your homework. Okay? They directly conflict with the witness's assertion that the flight logs exonerate him. In fact --

MR. SCOTT: Wait a minute.

MR. SCAROLA: -- the flight logs -- the flight logs corroborate Virginia Roberts' assertions.

MR. SCOTT: And I thank you very much for that explanation and we look forward to resuming this at the appropriate time and responding to that.

THE WITNESS: And that is a false statement.

MR. SCOTT: Thank you.

VIDEOGRAPHER: Going off the record. The time is approximately 12:26 p.m.

(The proceedings ADJOURNED at 12:26 p.m.)

CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF BROWARD

I, the undersigned authority, certify that ALAN M. DERSHOWITZ personally appeared before me and was duly sworn on the 16th day of October, 2015.

Signed this 16th day of October, 2015.

Kimberly Fontalvo
KIMBERLY FONTALVO, RPR, FPR, CLR
Notary Public, State of Florida
My Commission No. EE 161994
Expires: 2/01/16

CERTIFICATE OF REPORTER

STATE OF FLORIDA
COUNTY OF BROWARD

I, KIMBERLY FONTALVO, Registered Professional Reporter, do hereby certify that I was authorized to and did stenographically report the foregoing videotape deposition of ALAN M. DERSHOWITZ; pages through 145; that a review of the transcript was requested; and that the transcript is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 16th day of October, 2015.

KIMBERLY FONTALVO, RPR, FPR, CLR

October 16, 2015

COLE, SCOTT & KISSANE, P.A.
Dadeland Centre II - Suite 1400
9150 South Dadeland Boulevard
Miami, Florida 33156
BY: THOMAS EMERSON SCOTT, JR., ESQ.
Re: Edwards v. Dershowitz

Please take notice that on the 16th day of October, 2015, you gave your deposition in the above cause. At that time, you did not waive your signature. The above-addressed attorney has ordered a copy of this transcript and will make arrangements with you to read their copy. Please execute the Errata Sheet, which can be found at the back of the transcript, and have it returned to us for distribution to all parties.

If you do not read and sign the deposition within a reasonable amount of time, the original, which has already been forwarded to the ordering attorney, may be filed with the Clerk of the Court.

If you wish to waive your signature now, please sign your name in the blank at the bottom of this letter and return to the address listed below.

Very truly yours,

KIMBERLY FONTALVO, RPR, FPR, CLR
Phipps Reporting, Inc.
1615 Forum Place, Suite 500
West Palm Beach, Florida 33401

I do hereby waive my signature.

ALAN M. DERSHOWITZ

ERRATA SHEET

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In Re: EDWARDS V. DERSHOWITZ

ALAN M. DERSHOWITZ

October 16, 2015

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Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

__________ ______________________

Date ALAN M. DERSHOWITZ

Exhibit 3

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO. CACE 15-000072

BRADLEY J. EDWARDS and PAUL G. CASSELL,

Plaintiffs/Counterclaim Defendants,

vs.

ALAN M. DERSHOWITZ,

Defendant/Counterclaim Plaintiff.
_______________________________________/

VIDEOTAPED DEPOSITION OF
PAUL G. CASSELL
TAKEN ON BEHALF OF THE DEFENDANT
VOLUME I, PAGES 1 to 151

Friday, October 16, 2015
1:33 p.m. - 4:31 p.m.

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Theresa Tomaselli, RMR

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ALAN M. DERSHOWITZ
CAROLYN COHEN

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(Original Exhibits have been attached to the original transcript.)

01:10:55 Q. I would like to know why you alleged "and
01:10:57 other minors" given what you have said about your
01:11:01 knowledge of the factual basis, so to speak, for that
01:11:06 allegation.
01:11:06 A. **Okay. There are going to be -- I'm going to**
01:11:08 **end up giving you nine reasons, each of which is**
01:11:11 **complicated, so I just want to -- if -- if -- I don't**
01:11:13 **want to be accused of -- of filibustering or anything.**
01:11:15 **I just want you to know that you have asked a broad**
01:11:18 **question that's going to require a broad and extended**
01:11:20 **answer. It -- it --**
01:11:21 Q. Answer the question.
01:11:22 A. **Okay. Then I'm going to refer to a -- I have**
01:11:27 **a -- well, actually, I don't.**
01:11:28 Q. Let me ask you this: Before you refer to
01:11:30 something --
01:11:30 A. **Yeah.**
01:11:30 Q. -- please give me your best recollection of
01:11:34 what the basis was, the factual basis that you had in
01:11:37 mind. If the court said to you -- let me put it this
01:11:40 way. If you went to court and Judge Marra said,
01:11:43 Professor Cassell, what's your factual basis for this
01:11:46 allegation? Tell me. What would you say?
01:11:48 A. **Right.**
01:11:49 MS. McCAWLEY: Wait. Outside the context of

01:11:50 anything that's been communicated to you.
01:11:53 MR. SCAROLA: Excuse me. You have asked two
01:11:55 different questions now, and I need to understand
01:11:56 which question you are asking.
01:11:58 The question that you posed before just now
01:12:02 was: What was the reason for your including
01:12:06 those allegations in this pleading?
01:12:08 Now you have asked: What is the factual
01:12:10 basis? And that's going back to questions that
01:12:14 we have already covered, and we have, I think,
01:12:17 exhausted the ability to respond to that question
01:12:20 outside of privileged information.
01:12:23 Do you want to go back to the question about:
01:12:26 What was your reason for including those
01:12:28 allegations?
01:12:29 MR. SIMPSON: I'll ask the question a
01:12:30 different way.
01:12:31 MR. SCAROLA: Thank you.
01:12:31 BY MR. SIMPSON:
01:12:33 Q. Mr. Cassell, I'm going to ask you: If you're
01:12:37 in court and Judge Marra said to you, counsel, what is
01:12:42 the factual basis for your allegation that Professor
01:12:47 Dershowitz abused other minors, what would you say? And
01:12:51 if you wouldn't say something because it was privileged,
01:12:52 then don't include it. What would you tell the judge

01:12:55 was your basis for this?
01:12:56 A. **All right. So the initial basis for it**
01:13:00 **was --**
01:13:00 MR. SCAROLA: First of all, let me object
01:13:02 because Professor Cassell is not here as an
01:13:04 expert witness and hypotheticals are
01:13:06 inappropriate. You're calling for speculation on
01:13:08 his part. I'm not going to instruct him not to
01:13:10 answer, but it is an improper question.
01:13:14 MR. SIMPSON: I disagree, but you can answer
01:13:14 the question.
01:13:14 THE WITNESS: Right. So the -- the factual
01:13:17 basis would -- we are setting aside
01:13:21 attorney/client communications, right?
01:13:21 BY MR. SIMPSON:
01:13:22 Q. I'm asking: What would you tell the judge?
01:13:26 A. **Right. So that -- I -- I -- that's**
01:13:28 **speculative to -- I don't think I can give a fair answer**
01:13:30 **at this point because that would have involved going**
01:13:32 **back to my client and -- and carving out what kinds**
01:13:36 **of things we were going to present to Judge Marra in**
01:13:39 **light of the posture of the case at that point.**
01:13:42 **So it's a speculative question. I would**
01:13:46 **have -- let me just -- without going into any**
01:13:48 **attorney/client privileged communications, I would have**

01:13:51 **provided an ample factual basis for those allegations.**
01:13:55 MR. SIMPSON: I move to strike as
01:13:56 nonresponsive.
01:13:56 BY MR. SIMPSON:
01:13:58 Q. Let me ask it this way: We have talked
01:14:00 about -- somewhat about the basis for this allegation
01:14:02 about other minors. Putting aside information as to
01:14:09 which you're claiming privilege, tell me what you knew
01:14:13 as of December 30th, 2014, that formed the factual basis
01:14:20 for your -- for that allegation about other minors.
01:14:23 MR. SCAROLA: And I'll instruct you not to
01:14:25 answer that question for the same reason, that
01:14:27 when the same question was asked earlier, I
01:14:29 instructed you not to answer.
01:14:31 MR. SIMPSON: I'm -- I'm -- maybe we are not
01:14:33 being clear, Jack. I'm asking him to put
01:14:35 aside -- I mean, certainly, he -- he filed a
01:14:37 pleading. You've asserted privilege as to
01:14:40 certain aspects. I'm simply asking him, putting
01:14:43 aside whatever you're claiming privilege for,
01:14:45 right, so I'm not -- I'm not asking you right now
01:14:47 to tell me anything you're claiming as
01:14:49 privileged.
01:14:49 BY MR. SIMPSON:
01:14:50 Q. Tell me whatever is not privileged that

01:14:53 supports that allegation.
01:14:55 A. Okay. The privileged information, obviously,
01:14:58 you're asking me not to reveal at this point.
01:14:59 Q. I'm asking you -- I'm asking you to tell me
01:15:00 the nonprivileged information. And I'm not agreeing
01:15:04 with your privilege assertion --
01:15:04 A. Sure.
01:15:07 Q. -- but for purposes of this question --
01:15:07 A. For purposes of this question.
01:15:07 Q. -- I'm accepting it.
01:15:07 A. All right.
01:15:08 Q. Putting aside what you claim is privileged, I
01:15:10 want to know everything that's the factual basis for
01:15:12 including the allegation about other minors.
01:15:14 A. Okay. Privileged information which I'm not
01:15:17 disclosing in any way would have interacted with a vast
01:15:20 body of other information.
01:15:22 The vast body of other information would have
01:15:24 started with an 89-page police report from the Palm
01:15:29 Beach Police Department that showed for about a
01:15:30 six-month period in 2005, there was sexual abuse of
01:15:35 minor girls going on on a daily basis, in -- whenever
01:15:40 Jeffrey Epstein was in his Palm Beach mansion.
01:15:44 And on some cases, it was going on not once,
01:15:48 not twice, but three times during the day. That -- let

01:15:51 me just be clear. I mean, I -- I referred to the
01:15:53 89-page police report. I have offered to put it into
01:15:55 the record if -- if it would speed things up, but let's
01:15:58 just talk about some of the things that are in that
01:15:59 89-page police report.
01:16:02 This was a -- a very intensive investigation
01:16:05 that the Palm Beach Police Department put together.
01:16:07 They did, for example, what are called trash covers;
01:16:09 that is when trash came out of the -- of the mansion of
01:16:13 Epstein, the police would intercept the trash and then
01:16:16 they would go through the trash and look for
01:16:17 incriminating information.
01:16:19 And what they began to discover was memo
01:16:22 pads -- and I say "memo pads," let's be clear, pad after
01:16:26 pad after pad, or I guess I should say, sheet after
01:16:28 sheet after sheet that had the name of a girl, and then
01:16:33 there was a notation of something to the effect of a
01:16:35 massage.
01:16:36 And so the Palm Beach Police Department began
01:16:39 tracking down, well, wait a minute, these -- these are
01:16:41 girls giving massages and they don't seem to have any
01:16:44 specialized training in massages; they don't seem to be
01:16:47 masseuses in any sense of the term; what's going on
01:16:47 here?
01:16:50 And so the Palm Beach Police Department

01:16:52 began, you know, I guess what we would call
01:16:54 knock-and-talks, knocking on doors to try to get to some
01:16:57 of these girls, and they would get to the girls, and
01:16:59 many of them initially were -- were afraid to explain
01:17:02 what had happened.
01:17:03 But as they -- as they continued talking to
01:17:06 them, the girls began to explain that what was happening
01:17:09 was, they were going over to Epstein's house under the
01:17:13 guise of giving a massage, and when they got there, the
01:17:17 massage was, in fact, sexual activity.
01:17:19 And for many of the girls, I think, as I say
01:17:22 around 23, 24, something along those lines, they were
01:17:25 underage. They were under the age of consent in
01:17:28 Florida.
01:17:28 And so each and every one of those events was
01:17:30 a crime being perpetrated -- and let's be clear, not
01:17:35 just being perpetrated by Epstein, but by other people
01:17:36 who were involved there at the mansion.
01:17:38 And so what the -- the Palm Beach Police
01:17:40 Department was putting together was that this mansion in
01:17:43 Florida was the nest of sexual abuse of young girls here
01:17:48 in Florida that involved, literally, in the -- in this
01:17:53 period of time, more than a hundred events that they
01:17:57 were able to document of sexual abuse.
01:17:59 And when you put that together with the

01:18:01 pattern or practice that was being revealed there, there
01:18:03 were hundreds of acts of sexual abuse going on in the
01:18:06 mansion.
01:18:07 But then what becomes -- and this is where I
01:18:10 indicated that, you know, the answer would continue on.
01:18:12 The -- the problem was that the evidence was starting to
01:18:14 show that this was a much broader series of events. For
01:18:18 example, there were flight logs showing that Mr. Epstein
01:18:21 was then flying with underaged girls, and those flight
01:18:27 logs, you know, as -- as the flight logs began to
01:18:29 develop, for example, we have seen, I know in the last
01:18:32 day or two here, one underage girl was Virginia Roberts
01:18:35 who is on the flight, you know, with Epstein, and with
01:18:39 Maxwell, and those sorts of things.
01:18:41 So you start to look at the flight logs and
01:18:43 you see what's going on is not just events that are
01:18:46 occurring in Florida, but it's occurring on a
01:18:50 multi-state basis, which now starts to make it a federal
01:18:53 crime. For example, we are seeing evidence that --
01:18:56 let's just talk about Virginia Roberts since she's
01:18:58 central to this case.
01:18:59 We are seeing Virginia Roberts being flown
01:19:02 from Florida to New York where she's in the clutches of
01:19:07 Jeffrey Epstein who is sexually abusing her, you know,
01:19:12 many times a week. And not just Jeffrey Epstein, but

01:19:15 **other powerful persons. For example, Ghislaine Maxwell**
01:19:18 **is there with him on all of these flights and apparently**
01:19:21 **being involved in the abuse.**
01:19:24 **Indeed -- and so you -- you have -- you**
01:19:27 **have that. You also start to see on the flight logs,**
01:19:30 **what to my mind are some very sinister things,**
01:19:34 **suggesting that the pattern is not just confined to sort**
01:19:36 **of, you know, the girls that are there in Florida, but**
01:19:39 **it -- it is extending more broadly.**
01:19:41 **Like one of the -- to my mind, sinister and**
01:19:44 **scary things on the flight logs is, we see, you know,**
01:19:48 **Virginia Roberts, who we know has been sexually abused,**
01:19:51 **and we see Jeffrey Epstein, and then we see on the**
01:19:54 **flight logs one female.**
01:19:55 **That's kind of an odd notation for a flight**
01:19:59 **log because, you know, typically, I understand the**
01:20:02 **flight logs, the purpose is, well, if something happens**
01:20:04 **with the flight, or there's some question about who was**
01:20:05 **on it, you want to know who -- who the person was who**
01:20:07 **was on the flight.**
01:20:08 **So, to my mind, when I started to see on**
01:20:10 **these flight logs entries like one female, I viewed that**
01:20:15 **as a potential device for obscuring the fact that there**
01:20:17 **was interstate trafficking of underage girls for**
01:20:19 **purposes of sexual activity. Serious federal offenses.**

01:20:22 **But then that evidence extended, you know,**
01:20:26 **more broadly than that. The evidence also started to**
01:20:28 **show, again, if we talk just about flight logs, that**
01:20:31 **the -- that underage girls such as Virginia Roberts were**
01:20:34 **being flown internationally from, for example, Teterboro**
01:20:39 **in New York to -- to locations, just to pick one, you**
01:20:42 **know, for example, in London, where again sexual abuse**
01:20:45 **was occurring.**
01:20:47 **And so you started to put together this**
01:20:50 **pattern of criminality that was started in this -- you**
01:20:54 **know, I don't know what the right word is here. I don't**
01:20:56 **want to -- I don't want to -- you know, you've heard**
01:20:58 **discussions of hyperbole and things like that, but we**
01:21:01 **have got this nest of -- of -- and I won't say snakes,**
01:21:04 **but we have this nest of criminals in Florida, but it --**
01:21:07 **it seems to be spreading to Epstein's mansion in New**
01:21:10 **York; it seems to be spreading to Ghislaine Maxwell's**
01:21:14 **flat in London, and -- and -- and it goes on.**
01:21:17 **So those are the kinds of things that would**
01:21:19 **have formed the -- the -- the basis, particularly when**
01:21:25 **you -- when you start to add in this fact: What the**
01:21:28 **Palm -- going back now to Florida with the Palm Beach**
01:21:31 **Police Department. What the Palm Beach Police**
01:21:33 **Department has -- had discovered was not a one-off kind**
01:21:35 **of event, you know, on one particular day, one**

01:21:37 **particular girl had been sexually abused.**
01:21:40 **What the Palm Beach Police Department had**
01:21:42 **discovered was brazen, notorious, repetitive activity**
01:21:46 **sometimes occurring as often as three times in a**
01:21:48 **particular day. And so that led me to believe that the**
01:21:51 **sexual activity that was going on in Florida was such**
01:21:54 **that someone who was a regular house guest there would**
01:21:57 **have immediately come to the conclusion that, well,**
01:22:00 **look, gee, there are these underage girls coming in here**
01:22:03 **and they -- they seem to be -- you know, they don't seem**
01:22:06 **to be here to be doing, you know, business activities;**
01:22:08 **they -- they might be here doing other kinds of**
01:22:11 **activities. So those would be the kinds of things that**
01:22:13 **would -- would have formed the factual basis.**
01:22:17 **There are other things as well, but I'm sure**
01:22:18 **you want to ask other questions in addition to that. So**
01:22:22 **I'll stop there, but those -- that's -- I think gives**
01:22:24 **you a small flavor of the kind of evidence that, you**
01:22:28 **know, was form -- undergirding the allegations that were**
01:22:32 **being presented here.**
01:22:32 **Q.** It sounds like you quite passionately believe
01:22:35 that there was strong evidence that Mr. Epstein had
01:22:39 engaged in sexual misconduct; is that right?
01:22:41 **A. I think "strong" understates it.**
01:22:44 **Q.** In the course of that long answer, you didn't

01:22:48 mention Professor Dershowitz's name once.
01:22:51 **A. I said flight logs. And let's talk about**
01:22:53 **flight logs.**
01:22:54 **Q.** Let me back up. You didn't answer his
01:22:57 name -- mention his name once; is that -- is that your
01:23:00 recollection as well?
01:23:00 **A. That's correct. We were talking about a**
01:23:02 **factual basis, and I'll be glad -- I told you that there**
01:23:05 **were other things if you want, factual basis for -- for**
01:23:07 **Mr. Dershowitz. I'll be glad to add that in. Let me --**
01:23:10 **let's -- let me -- let me -- I would like to supplement**
01:23:11 **my answer then if I could.**
01:23:12 **Q.** Do you want to look at a document?
01:23:14 **A. Yes.**
01:23:14 **Q.** Let me first -- have we exhausted your
01:23:16 recollection without documents of all the evidence that
01:23:21 you would refer to to support the allegation that
01:23:23 Professor Dershowitz abused other minors?
01:23:26 **A. No.**
01:23:26 MR. SCAROLA: And let me say that you have a
01:23:28 right to refer to whatever documents you choose
01:23:31 to refer to, to be sure that you give a complete
01:23:35 response to the question that has been asked, as
01:23:38 long as you understand that whatever you refer to
01:23:40 is going to be available to the other side, and

01:23:43 we would be happy to make it available to you.
01:23:45 MR. SIMPSON: And -- and I'll give you an
01:23:47 opportunity to look at that --
01:23:47 THE WITNESS: Sure --
01:23:47 BY MR. SIMPSON:
01:23:48 Q. -- but I'm entitled to ask first about your
01:23:50 recollection.
01:23:51 A. **Okay.**
01:23:51 Q. Based on your recollection --
01:23:51 A. **Right.**
01:23:52 Q. -- I want to know all the evidence --
01:23:52 A. **Right.**
01:23:54 Q. -- you were relying on here.
01:23:55 A. **So what -- what I'm going to do is, I'm going**
01:23:57 **to make a list here on my -- on my notepad of all the**
01:23:59 **things, and then I'm going to compare that with notes I**
01:24:01 **have here. There may be a couple things that I don't**
01:24:03 **cover.**
01:24:03 Q. As long as your counsel is okay with that.
01:24:04 A. **Yeah.**
01:24:05 Q. You understand you'll have to give that to
01:24:07 me?
01:24:07 A. **Yeah. I'll give you the notes --**
01:24:07 Q. All right.
01:24:09 A. **-- and then I will compare with what I've got**

01:24:11 **there. So I mentioned the Palm Beach Police Department**
01:24:14 **report.**
01:24:15 **The next thing that I want to mention is the**
01:24:19 **Jane Doe 102 complaint. In August of 2009, Bob**
01:24:27 **Josefsberg -- who is, from what I understood, a very**
01:24:32 **well-regarded lawyer here in Florida; in fact, a lawyer**
01:24:33 **that was selected by the United States Government to**
01:24:36 **represent a number of the -- of the girls that had been**
01:24:40 **sexually abused by Jeffrey Epstein. He was -- he was**
01:24:43 **part of the procedure that was including the**
01:24:45 **nonprosecution agreement.**
01:24:46 **In August of 2009, he filed a complaint on**
01:24:48 **behalf of Virginia Roberts. That complaint indicated**
01:24:54 **that Virginia Roberts had been sexually abused in**
01:24:58 **Florida, in New York, and in -- in other places, as I**
01:25:02 **recall. The thing that -- that I particularly recall**
01:25:06 **was that Mr. Josefsberg had said, Virginia Roberts was**
01:25:12 **abused by -- and he gave some categories of people.**
01:25:15 **He mentioned, I think, business people. He**
01:25:17 **mentioned royalty, and he mentioned academicians. And**
01:25:23 **so to tie into your question, I knew that Professor**
01:25:25 **Dershowitz was an academician. And so what I was seeing**
01:25:29 **now was, that according to a very, very respected**
01:25:32 **attorney here in Florida, he had found Virginia Roberts**
01:25:34 **to be credible, and had filed a lawsuit against**

01:25:38 **Mr. Epstein saying that she had been trafficked,**
01:25:41 **sexually trafficked, you know, not just abused by**
01:25:44 **Mr. Epstein, but now being forcibly sent to, you know,**
01:25:48 **other people to abuse.**
01:25:49 **And in the categories of people that were**
01:25:52 **sexually abusing her were academicians, and I knew that**
01:25:58 **Mr. Dershowitz fell within that category of -- of being**
01:26:00 **an academician. The -- that complaint also indicated**
01:26:05 **that there might be flight logs that would show that**
01:26:08 **Virginia Roberts had been sexually abused in these**
01:26:13 **various locations. And that started to indicate to me**
01:26:16 **that there might be what the law refers to as a common**
01:26:19 **scheme or plan. And that, just as Virginia Roberts was**
01:26:23 **being trafficked to these powerful people in various**
01:26:26 **places, there might well be other girls.**
01:26:28 **And so I have mentioned a flight log, and let**
01:26:31 **you -- you wanted to talk about Mr. Dershowitz. On --**
01:26:35 **on December 30th, 2009, I was aware that there was a**
01:26:39 **flight log showing Mr. Dershowitz flying with Tatiana,**
01:26:44 **who as far as I can tell was not a business person, was**
01:26:49 **not providing financial advice or something else.**
01:26:51 **I understood that Mr. Epstein was a**
01:26:53 **billionaire who was heavily involved in financial**
01:26:57 **issues. I knew that Tatiana was on a plane with**
01:27:01 **Mr. Dershowitz, and then there was also, if I recall**

01:27:01 **correctly, working from memory as -- as you were**
01:27:04 **wondering about, there was a notation that**
01:27:06 **Mr. Dershowitz was on a plane with one female.**
01:27:08 **And so I was -- when I looked at that, I'm**
01:27:11 **seeing Mr. Dershowitz on a -- on a flight with a woman**
01:27:15 **who doesn't seem to be there for, frankly anything other**
01:27:18 **than sexual purposes or something along those lines with**
01:27:21 **Mr. Epstein, with Mr. Epstein, who is a sex trafficker,**
01:27:25 **and with one female which seemed to me to be a potential**
01:27:30 **entry for disguising international sex trafficking. So**
01:27:33 **that was of concern.**
01:27:34 **I then began to look at, well, I wonder, how**
01:27:36 **would I find out if Mr. Dershowitz had been abusing**
01:27:39 **other girls? Let's see. I knew that Virginia Roberts**
01:27:42 **had been forced to -- to -- to -- to do this sort of**
01:27:48 **thing.**
01:27:56 MS. McCAWLEY: You're okay as long as
01:27:56 you're -- if you're revealing something that's in
01:27:59 an affidavit --
01:27:59 THE WITNESS: That's right.
01:27:59 MS. McCAWLEY: -- that she submitted, you're
01:27:59 fine.
01:28:00 THE WITNESS: Right. So -- so what...
01:28:05 Let's see. What did I want, at this point --
01:28:05

01:28:05 BY MR. SIMPSON:
01:28:09 Q. Do you want the question back?
01:28:10 **A. No. I'm just trying to remember what I was**
01:28:12 **thinking about with -- with regard to --**
01:28:15 MR. SCAROLA: Do you need the response read
01:28:17 back up to the point --
01:28:18 THE WITNESS: Yeah, if you would do that,
01:28:20 yeah. I just --
01:28:20 MR. SCAROLA: -- about privilege arose.
01:28:20 THE WITNESS: Yeah. Let's just see what that
01:28:20 one --
01:28:21 MR. SCAROLA: Just read the last couple of
01:28:22 sentences back, or the last two sentences.
01:28:31 THE WITNESS: Oh, I'm sorry. Now I remember
01:28:32 exactly what I was thinking.
01:28:32 How would we go find out whether Mr. Epstein
01:28:35 was lending women, or in this case, underage
01:28:39 girls, to Mr. Dershowitz for sexual purposes?
01:28:41 Well, the first thing I want to do was ask -- you
01:28:45 know, I'd -- I'd go ask Jeffrey Epstein.
01:28:47 And so what I discovered when I started to
01:28:48 look at the transcripts, there were a number of
01:28:52 transcripts where Mr. Epstein was asked about
01:28:55 Alan Dershowitz. And rather than say, well, no,
01:28:57 he wasn't involved in any of these illegal

01:29:00 activities, Jeffrey Epstein took the Fifth as the
01:29:03 phrase, you know, to be more precise. He
01:29:05 exercised his right against compelled
01:29:06 self-incrimination and refused to answer the
01:29:09 question, which since these were civil cases,
01:29:11 indicated to me, since he was being represented
01:29:14 by very experienced legal counsel, that there was
01:29:16 more than an insignificant risk of incriminating
01:29:19 himself if he answered that.
01:29:20 And so Jeffrey Epstein now had taken the
01:29:23 Fifth. And one of the things that I was aware of
01:29:26 having been involved in, you know, civil
01:29:28 litigation and criminal litigation in other
01:29:30 cases, was that once somebody refuses to answer a
01:29:32 question like, you know: Do you know
01:29:35 Mr. Dershowitz? And they take the Fifth on that,
01:29:38 that you're then entitled to draw what's called
01:29:40 an adverse inference. You can -- you can infer
01:29:42 that, well, if they answered that question, they
01:29:44 would have --
01:29:44 MR. SCAROLA: Excuse me.
01:29:44 MS. McCAWLEY: Yeah, I want to make an
01:29:44 objection here --
01:29:44 MR. SCAROLA: Pardon me. Could you please
01:29:47 try to control your client --

01:29:47 MS. McCAWLEY: Yeah.
01:29:49 MR. SCAROLA: -- who keeps jumping up and
01:29:50 down and distracting everybody in the room?
01:29:52 MS. McCAWLEY: And there was also profanity
01:29:54 used earlier. I mean, we just have to settle
01:29:55 down on this side, and take a deep breath, and
01:29:58 let him answer his questions.
01:29:58 MR. SIMPSON: Look, I mean, the same thing
01:29:59 was happening on the other side.
01:30:00 MR. SCAROLA: No, sir.
01:30:00 MS. McCAWLEY: There was no profanity on this
01:30:00 side of the table.
01:30:00 MR. SCAROLA: No, no, no. There was never
01:30:03 anyone who jumped to their feet at any time
01:30:06 during the course of the last two days. The only
01:30:08 person who keeps jumping up is Alan Dershowitz.
01:30:13 Have him pass you a note quietly, if you would,
01:30:16 please.
01:30:18 MR. SIMPSON: I will disagree with your
01:30:19 characterization, but let me say the
01:30:20 argumentation --
01:30:21 MR. SCAROLA: Excuse me. Are you -- are you
01:30:22 making the representation --
01:30:22 MR. SIMPSON: No, I'm not.
01:30:23 MR. SCAROLA: -- that somebody on this side

01:30:24 of the room jumped up?
01:30:25 MR. SIMPSON: No, no, no, I'm not.
01:30:26 MR. SCAROLA: Okay. Thank you.
01:30:26 MR. SIMPSON: I'm not.
01:30:27 MR. SCAROLA: And I appreciate that.
01:30:27 MR. SIMPSON: And I --
01:30:29 MR. SCAROLA: And you do acknowledge that
01:30:30 Mr. Dershowitz has repeatedly been jumping up in
01:30:33 the middle of testimony, correct?
01:30:36 MR. SIMPSON: That's -- he just got up and
01:30:37 came over to me. That's the only time I'm aware
01:30:39 of, because I'm -- I'm looking at the witness,
01:30:41 but he did just do that, and I will pass notes.
01:30:44 We won't get up.
01:30:45 MR. SCAROLA: Okay. Well, I will tell you --
01:30:45 MR. SIMPSON: I'm not going to take time from
01:30:47 this.
01:30:47 MR. SCAROLA: I will -- I will, for the
01:30:49 record, as an officer of the court, represent
01:30:51 that there have been multiple times during the
01:30:54 course of Professor Cassell's deposition when
01:30:58 Alan Dershowitz has jumped up in the middle of
01:31:01 the testimony and excitedly whispered in your
01:31:07 ear.
01:31:07 You may not have realized it because you were

01:31:08 focusing on the witness, but everybody on this
01:31:10 side of the room has been distracted by his
01:31:13 unprofessional conduct.
01:31:16 MR. SIMPSON: I'm not going to argue with
01:31:18 you. And I --
01:31:18 MR. SCAROLA: Thank you.
01:31:18 MR. SIMPSON: -- I disagree with that
01:31:20 characterization. There is another attorney
01:31:22 sitting between us. We will pass notes.
01:31:24 MR. SCAROLA: Thank you.
01:31:25 MR. SIMPSON: And we -- and I believe,
01:31:29 Ms. McCawley, were you instructing not to answer
01:31:30 or what was happening? What did you -- what were
01:31:34 you raising?
01:31:34 MS. McCAWLEY: No. There was a lot of
01:31:35 yelling going on here, so I was trying to make
01:31:37 sure that everybody was quiet --
MR. SIMPSON: All right.
MS. McCAWLEY: -- so that the client could
answer.
MR. SIMPSON: All right. Let me back up.
BY MR. SIMPSON:
01:31:41 Q. Professor Cassell, I think you were in the
01:31:41 middle of an answer?
01:31:42 A. **I was. Yes, if I could conclude --**

01:31:43 MR. SIMPSON: All right. Could the court
01:31:44 reporter read me the last two lines of your
01:31:46 answer?
01:31:46 THE WITNESS: Okay.
01:31:46 (Thereupon, a portion of the record was read
01:31:46 by the reporter.)
01:31:46 BY MR. SIMPSON:
01:32:26 Q. Okay. Can you pick up then?
01:32:27 A. **Sure. I'll pick up -- pick up the --**
01:32:27 Q. Okay.
01:32:31 A. **So I was beginning to draw an adverse**
01:32:31 **inference when Jeffrey Epstein, who is at the heart of**
01:32:34 **the sexual abuse of, not only Virginia Roberts, but**
01:32:39 **dozens and dozens and dozens of -- of girls literally**
01:32:40 **scattered across the globe, takes the Fifth, refuses to**
01:32:43 **answer the question, off the top of my head, I can't**
01:32:46 **recall exactly, but something along lines of: Do you**
01:32:48 **know Alan Dershowitz? And he says, I take the Fifth.**
01:32:50 **That sort of, frankly, startled me, that -- that this**
01:32:55 **international sex trafficker was taking the Fifth now**
01:32:57 **when asked about Mr. Dershowitz.**
01:33:01 **And so I was stymied in trying to get**
01:33:04 **information from Mr. Epstein at that point. I think**
01:33:07 **there were two depositions, if I recall correctly off**
01:33:09 **the top of my head, that -- that I had an opportunity to**

01:33:11 **review, in which he took the Fifth when asked questions**
01:33:13 **about Dershowitz.**
01:33:14 **So, at that point, in trying to figure out,**
01:33:17 **you know, whether Mr. Dershowitz was involved in**
01:33:20 **sexually abusing, not only Virginia Roberts, but in**
01:33:24 **other girls, then you go down to the next level, next**
01:33:26 **layer of the criminal conspiracy.**
01:33:28 **Epstein is at the top, so you go to the next**
01:33:31 **layer. These are, you know, basically the -- the women**
01:33:33 **who, from what I could gather, were -- were older than**
01:33:36 **the age that Epstein wanted to sexually abuse. I think**
01:33:40 **these were 22 and 23-year-old girls, so they had, you**
01:33:44 **know, essentially aged out of being his sexual abuse**
01:33:47 **victims, but they continued to -- what they would do is**
01:33:50 **collect girls for him under the age of 18, that I guess**
01:33:53 **was in his target range.**
01:33:55 **And so what -- so the next person I wanted to**
01:33:58 **talk to, you know, and get information from was Sarah**
01:34:01 **Kellen. Sarah Kellen is on a lot of these flight logs**
01:34:04 **with, you know, these girls that -- or women and with**
01:34:07 **Epstein and others, and so I wanted to talk to Sarah**
01:34:07 **Kellen.**
01:34:11 **But what I discovered there was that, when**
01:34:15 **Sarah Kellen was asked about Alan Dershowitz, she took**
01:34:18 **the Fifth, and there was -- she wasn't the only one.**

01:34:21 **There was Miss Mucinska, who also took the Fifth when**
01:34:25 **asked questions about Alan Dershowitz.**
01:34:27 **And then there was Marcin -- Miss Marcinkova**
01:34:30 **who also took the Fifth. So what we -- what I had at**
01:34:33 **this point was Jeffrey Epstein's international sex**
01:34:35 **trafficking organization. I had the next echelon, and**
01:34:38 **both the top kingpin of the sex trafficking**
01:34:42 **organization, and the next echelon had taken the Fifth,**
01:34:46 **had refused to answer questions about Alan Dershowitz.**
01:34:49 **And so, at -- at that point, I was drawing an**
01:34:51 **adverse inference, not just from one person, but from**
01:34:54 **four persons, and that adverse inference was being**
01:34:57 **strengthened by the surrounding circumstances, some of**
01:35:00 **which we have already talked about.**
01:35:00 **One of the things that -- that really**
01:35:02 **bolstered the adverse inference that I was drawing in**
01:35:05 **this case was that I've mentioned those three girls,**
01:35:09 **Kellen, Mucinska, and Marcinkova. They were all covered**
01:35:12 **by a nonprosecution agreement. And the nonprosecution**
01:35:15 **agreement was highly unusual.**
01:35:17 **I -- I had been a federal prosecutor for**
01:35:18 **about four years, I had been a federal judge for about**
01:35:21 **five-and-a-half years, so I had seen a lot of -- of, you**
01:35:23 **know, nonprosecution types of arrangements. And one of**
01:35:26 **the things that was very unusual in this one is, it has**

01:35:29 what I'll refer to as the blank-check immunity
01:35:33 provision.
01:35:34 There was a provision in the nonprosecution
01:35:36 agreement that said, this agreement will prevent federal
01:35:40 prosecution for international and interstate sex
01:35:43 trafficking, not only of Jeffrey Epstein, and not only
01:35:46 of the four women who were identified, but -- and this
01:35:49 is a direct quote: Any other potential co-conspirator,
01:35:53 close quote.
01:35:55 And so that was unusual because what it --
01:35:57 what it seemed to be doing was that somehow this
01:35:58 agreement was quite out of the normal and had been
01:36:00 designed to extend immunity to other people that might
01:36:04 have been associated with Epstein.
01:36:05 And I knew that that category included the
01:36:09 people that were involved in negotiating this highly
01:36:11 unusual provision included Mr. Dershowitz, who had been
01:36:14 heavily involved, not only in the drafting of the
01:36:18 agreement, but had also been involved remarkably in
01:36:22 attacking the credibility of these girls and saying
01:36:25 things like, you know, it was -- Epstein wasn't
01:36:28 targeting minor girls, which just struck -- you know, I
01:36:33 was -- I don't want to use a technical term,
01:36:35 gob-smocked, that a defense attorney with an obligation
01:36:37 to tell the truth was making a factual representation

01:36:42 that Jeffrey Epstein was not targeting minor girls, when
01:36:44 the Palm Beach Police Department had collected, you
01:36:47 know, 23 of them that had all given essentially
01:36:50 interlocking stories about how they had all gone over to
01:36:54 this house, you know, the mansion, to give a massage and
01:36:57 when they had gotten there, they had been sexually
01:36:58 abused.
01:36:58 So the kingpin wouldn't talk. The next
01:37:01 echelon of the trafficking organization wouldn't talk.
01:37:03 So the next step was to say, okay, let's see if we can
01:37:06 find somebody, you know, lower level in there, you know,
01:37:08 a household employee or something like that; maybe they
01:37:10 will have some information about, you know, what this
01:37:12 criminal organization is doing.
01:37:14 Now, let's -- let's understand, you know,
01:37:16 given the pervasiveness of the -- of the criminal
01:37:19 activity, I -- I wasn't convinced that they were going
01:37:21 to be able to get in there and start saying exactly what
01:37:24 was going on because they might well be exposing
01:37:26 themselves to criminal -- you know, criminal
01:37:29 culpability.
01:37:30 But I -- I was able to read a sworn
01:37:32 deposition from Juan Alessi, and Juan Alessi -- I
01:37:37 think -- I don't know. Maybe just to speed things up
01:37:38 today, I won't go through all the things that are --

01:37:40 that are said there, but Alessi puts Mr. Dershowitz at
01:37:46 the nest of this international sex trafficking
01:37:47 organization. Let's see. I think he said four or five
01:37:51 times a year, two or three -- you know, two or three
01:37:55 days when he goes there.
01:37:56 And let's be clear, I know Mr. Dershowitz had
01:37:58 said at some points like, I'm an attorney, and that's my
01:38:00 client and so forth. And Alessi said, no, but this was
01:38:03 not in a -- in a lawyer/client capacity; this is in a
01:38:09 friend capacity.
01:38:10 And so now we have Alessi putting him there
01:38:12 at the same time when young girls were there. And one
01:38:15 of the -- the -- the things that I picked up, so is
01:38:17 Alessi -- you know, is he able to figure out who these
01:38:19 girls are?
01:38:20 A photograph of Virginia Roberts is shown to
01:38:22 Juan Alessi in the deposition, and he I.D.s the
01:38:26 photograph as, you know, V.R., so he -- he had, you
01:38:30 know, put two and two together.
01:38:30 So now I've got V.R. coming to the house at a
01:38:34 time when Mr. Dershowitz is also in the house, and
01:38:37 apparently spending, you know, two to three nights there
01:38:40 and doing this four or five times a year.
01:38:45 Now, Alessi wasn't the only one. There was
01:38:48 Alfredo Rodriguez who was there in about 2004 to 2005,

01:38:53 after the time period of Virginia Roberts, but it's part
01:38:56 of the common scheme or plan that we've been discussing
01:38:59 here.
01:38:59 And so in 2005, Alfredo Rodriguez says, yeah,
01:39:02 again, Mr. Dershowitz is there at a time when these
01:39:05 massages are going on. When you start to look at Alessi
01:39:09 and Rodriguez's statements in context where they're --
01:39:14 they're saying he's there at the same time the massages
01:39:16 are occurring, and with the West Palm Beach Police
01:39:19 Department reports showing that massages are of a sexual
01:39:22 nature, again, it started to put two and two together.
01:39:26 One of the things that was particularly
01:39:30 important about Rodriguez's situation was that Rodriguez
01:39:34 had an access to what's been called the little black
01:39:38 book, or I think he referred to it as the holy grail.
01:39:40 This was Jeffrey Epstein's, you know, telephone book
01:39:42 where he had telephone numbers in it.
01:39:45 And so Rodriguez had that and, you know, I
01:39:48 guess thought that this would be worth a lot of money
01:39:50 because it would -- you know, it would identify all of
01:39:52 the people that have been sexually abused by -- by
01:39:54 Jeffrey Epstein. And so he tried to sell it. The FBI
01:39:57 busted him for that.
01:39:58 And when the FBI busted him, now he's got
01:40:00 this book. And so the book went to Alessi, and

01:40:05 according to a -- to a later FBI report, Alessi
01:40:07 identified information that was pertinent to the FBI's
01:40:07 investigation.
01:40:11 And so when I look at the little black book
01:40:14 that I have seen copies of, there are a handful of names
01:40:17 in that black book that have been circled, apparently by
01:40:22 Mr. Rodriguez, and one of the names that's -- that has
01:40:25 been circled is Alan Dershowitz. And so that, to me,
01:40:30 was suggesting that Mr. Rodriguez had identified, you
01:40:35 know, Alan Dershowitz as somebody who had information
01:40:38 about this -- this international sex trafficking ring.
01:40:40 But just as a side note, but an important
01:40:42 note, when the -- the thing that was circled on the Alan
01:40:46 Dershowitz page was not a single phone number
01:40:49 indicating, you know, somebody had bumped -- you know,
01:40:51 Epstein had bumped into at one point. I believe there
01:40:56 were 10 or 11 phone numbers that were associated with
01:40:57 Mr. Dershowitz that had all been circled and an e-mail
01:41:00 address as well.
01:41:02 So that started to corroborate my sense that
01:41:05 Mr. Dershowitz was, indeed, a very close friend of
01:41:10 Jeffrey Epstein. Now, I had then continued to do --
01:41:14 there's been reference today to, you know, using Google
01:41:16 to do research and so forth. So I Googled Jeffrey
01:41:20 Epstein and one of the things that pops up rather

01:41:22 rapidly is an article in Vanity Fair.
01:41:25 And what you see in that article is, you
01:41:28 know, discussion about Mr. Epstein, but when you're
01:41:33 trying to do a profile of someone, you try to figure out
01:41:34 who that person's closest friends are.
01:41:35 And so the Vanity Fair author had gone to
01:41:38 Alan Dershowitz, you know, our -- Mr. Dershowitz here,
01:41:42 and had asked him, hey, what do you know about Jeffrey
01:41:45 Epstein?
01:41:46 And, again, off the top of my head, you want
01:41:47 to know what I can remember right now. What I can
01:41:49 remember right now is that in the Vanity Fair article,
01:41:53 the -- in the Vanity Fair article, Mr. Dershowitz said,
01:41:59 I've written 20-some odd books; there's only one person
01:42:03 outside my immediate family with whom I share drafts,
01:42:06 and that's Jeffrey Epstein.
01:42:08 So I took that as indicating a -- a very
01:42:10 close personal association that -- you know, among the
01:42:13 people that -- that obviously he's sharing this -- these
01:42:15 kinds of things that he wants evaluated before he shares
01:42:18 them with the broader world, there's his immediate
01:42:21 family and then there's -- there's Jeffrey Epstein.
01:42:23 There was also another similar quote in the
01:42:24 article that indicated that -- that Mr. Dershowitz said
01:42:29 that he wasn't interested in Epstein just because he had

01:42:32 a lot of money. I mean, Epstein was identified as a
01:42:32 billionaire in this article, billionaire with -- with a
01:42:38 B, so the record is clear.
01:42:39 But he said, look, if Epstein lost all his
01:42:43 money -- I'm paraphrasing here -- I would be, you know,
01:42:44 happy to walk down, you know, the Coney Island Boardwalk
01:42:47 with him and discuss things with him, as -- you know,
01:42:49 even if he didn't have any money.
01:42:50 So now I'm seeing Dershowitz is a very close
01:42:54 personal friend of Jeffrey Epstein. And then I started
01:42:58 to look at flight logs. There were -- there were some
01:43:01 very interesting things that I noticed on the flight
01:43:04 logs.
01:43:04 One of the things I noticed was when I began
01:43:07 to, you know, get into this, that, you know, I was
01:43:13 wondering, well, what -- well, how do these flight logs
01:43:14 come into the possession of, you know, law enforcement
01:43:16 agencies? And the answer turned out to be that they had
01:43:20 been provided by Epstein's defense attorney and -- and,
01:43:23 you know, coincidentally, I suppose, or in my mind,
01:43:27 suspiciously, they were not provided by just any defense
01:43:30 attorney on this rather large defense team. They were
01:43:33 provided by one attorney according to Detective Recarey.
01:43:36 Detective Recarey testified under oath that the flight
01:43:39 logs were provided to him by Alan Dershowitz.

01:43:41 So one of the things that was -- was
01:43:43 interesting is, Dershowitz has had access to these
01:43:45 flight logs, and now I'm beginning to wonder, well, has
01:43:48 there been an opportunity to sanitize those flight logs
01:43:50 or remove any incriminating information?
01:43:52 And -- and one of the things that was
01:43:54 interesting about the flight logs that were produced --
01:43:56 I believe just so the record is clear, that was Exhibit
01:44:02 1 that -- if we could -- if I could refer -- I need to
01:44:04 refresh my recollection as to -- well, I don't -- you
01:44:07 may not want me to look at documents.
01:44:08 It was either Exhibit 1 or 2 this morning
01:44:11 during Dershowitz's deposition which was covering a time
01:44:15 period of January to, I believe, September 2005. These
01:44:20 were flight logs that were produced by Mr. Dershowitz to
01:44:23 the Palm Beach Police Department.
01:44:25 And you wonder why did they stop in
01:44:27 September -- you know, why stop in September 2005?
01:44:31 What's the significance of that? Well, later on,
01:44:35 additional flight logs were obtained, and sure enough,
01:44:39 who shows up on an October 2005 flight log with Jeffrey
01:44:45 Epstein? Mr. Dershowitz.
01:44:46 So that led to a suspicion that
01:44:49 Mr. Dershowitz had provided to the Palm Beach Police
01:44:52 Department flight logs that, the time period of which

01:44:54 **for the production had been carefully crafted to keep**
01:44:57 **him out of it; in other words, to not produce the**
01:44:59 **October 2005 version.**
01:45:03 **The other thing I -- I began to discover as I**
01:45:05 **started going through some flight logs, Dave Rogers, who**
01:45:08 **is one of I think about three pilots that -- that**
01:45:10 **Epstein regularly relied on to fly his -- you know, he**
01:45:13 **had very fancy -- to use the technical term -- jets.**
01:45:18 **There were about -- there were about three pilots there.**
01:45:20 **One of them had some flight logs and that --**
01:45:24 **that was Pilot Dave Rogers, if I'm recalling his name**
01:45:26 **correctly. And so later on in the litigation, the sex**
01:45:30 **abuse litigation against Epstein, flight logs were**
01:45:34 **obtained from Dave Rogers, and it was possible to -- to**
01:45:37 **compare -- I'm sorry. I don't mean to -- I want to make**
01:45:40 **sure I get -- you know, the question is: How much can I**
01:45:42 **remember and I'm trying to make sure I get -- get it all**
01:45:44 **in.**
01:45:45 **And so the flight logs were produced from**
01:45:48 **Dave Rogers. And so Dave Rogers produced some flight**
01:45:51 **logs, and some of the flights that he produced logs for**
01:45:56 **coincided with the logs that Mr. Dershowitz had provided**
01:45:59 **to the Palm Beach Police Department, and there were**
01:46:01 **inconsistencies. And so that, again, aroused my**
01:46:05 **suspicion that maybe Mr. Dershowitz when he had --**

01:46:08 MR. SCOTT: I just got a call from a lawyer
01:46:09 on the screen. His -- his phone is not working,
01:46:10 Epstein's lawyer, Darren Indyke.
01:46:10 MR. SIMPSON: Why don't --
01:46:15 MR. SCAROLA: Do you want to take a break for
01:46:17 a second?
01:46:17 MR. SIMPSON: Well, why don't -- well, why
01:46:17 don't we let him finish his answer?
01:46:18 MR. SCAROLA: Let him finish the answer.
01:46:20 MR. SCOTT: Yeah, let's do that. You're
01:46:20 right.
01:46:21 MR. SCAROLA: Although it may take a while.
01:46:21 THE WITNESS: It -- it's, I mean, the
01:46:21 question --
01:46:21 MR. SCAROLA: Yeah. But let's --
01:46:25 MR. SCOTT: I don't care.
01:46:25 MR. SCAROLA: Okay. Let's -- let's go ahead
01:46:27 and finish.
01:46:27 MR. SCOTT: Let's go ahead and finish the
01:46:29 answer. We heard this much.
01:46:29 MR. SCAROLA: Good. Thank you.
01:46:29 THE WITNESS: Okay. So there --
01:46:31 MR. SCOTT: I don't want to break him on a
01:46:32 roll.
01:46:33 MR. SCAROLA: Thanks.

01:46:33 THE WITNESS: Right. No, I mean, I want to
01:46:36 make -- I want to make clear that there was a lot
01:46:37 of information that I was relying on in filing
01:46:40 this pleading, and -- and, of course, the later
01:46:42 pleading. So we are on the subject of flight
01:46:44 logs.
01:46:44 Flight logs showed that the flight logs
01:46:46 Mr. Dershowitz had produced to Detective Recarey
01:46:49 were incomplete and inaccurate. And so that led
01:46:52 to concern on my part that Mr. Dershowitz had had
01:46:55 an opportunity to sanitize the flight logs,
01:46:57 had -- had -- had provided incomplete production,
01:47:01 you know, obviously, very important production
01:47:02 that the Palm Beach Police Department was looking
01:47:05 at.
01:47:06 Then we got some additional flight logs from
01:47:09 Dave Rogers. And what those flight logs
01:47:11 showed -- first off, let's talk again about
01:47:14 the -- the production of those flight logs.
01:47:17 My recollection is that Dave Rogers's flight
01:47:21 logs were provided by Bruce Reinhart who was a
01:47:24 former Assistant U.S. Attorney who had been
01:47:26 inside the Southern District of Florida Office at
01:47:29 a time when the Epstein case was the subject of
01:47:32 regular discussion in that office.

01:47:33 And then he had gone to work for some kind of
01:47:36 a -- a law firm or private operation that was
01:47:39 located adjacent to Mr. Epstein's business. And
01:47:44 so, now, Reinhart, who appeared to be being paid
01:47:48 by Mr. Epstein, and certainly was adjacent to
01:47:49 Mr. Epstein's business office, was producing
01:47:51 these flight logs.
01:47:52 So that, again, aroused suspicion that the
01:47:54 flight logs that were being produced would have
01:47:57 been sanitized or inaccurate.
01:47:58 But even -- I mean, you know, I think the
01:48:00 problem with -- you know, you can't sanitize
01:48:02 everything. That would be too suspicious. And
01:48:04 so what -- what was -- was -- what was evident on
01:48:07 these flight logs was, for example, approximately
01:48:11 ten flights by Mr. Dershowitz with Tatiana has --
01:48:18 has been discussed; with Maxwell; with Jeffrey
01:48:21 Epstein. One of them had one female, which,
01:48:25 again, in the context that I was looking at,
01:48:27 seemed to be a potential code word for
01:48:28 underage -- underage girl.
01:48:32 And so those flight logs showed, you know,
01:48:35 again, close association and travel with --
01:48:40 with -- with -- with Mr. Dershowitz, and
01:48:47 Mr. Epstein.

01:48:51 Another thing that I had, and I will not
01:48:53 reveal any privileged communications here or any
01:48:56 confidential information, but on December 30th, I
01:48:59 was aware that one of the preeminent lawyers in
01:49:02 the United States, David Boies, had agreed to
01:49:07 represent Virginia Roberts. And given the vast
01:49:11 amount of business that -- that, you know, tries
01:49:13 to get in the door --
01:49:15 MR. SIMPSON: Could I interrupt? I mean, I
01:49:17 think we are going towards a waiver here.
01:49:19 MS. McCAWLEY: Yeah. No, no, no, I do not --
01:49:20 MR. SIMPSON: We can't have testimony
01:49:21 about --
01:49:21 MS. McCAWLEY: Yeah.
01:49:22 MR. SIMPSON: -- this is one of the most
01:49:22 respected people in the country, or lawyers in
01:49:26 the country, and then you won't answer the
01:49:28 questions --
01:49:26 THE WITNESS: Okay.
01:49:28 MR. SIMPSON: -- you said not to answer.
01:49:28 MS. McCAWLEY: Oh. Well, describing David
01:49:30 Boies in general --
01:49:30 MR. SIMPSON: I agree with the description.
01:49:31 MS. McCAWLEY: -- doesn't constitute a
01:49:32 waiver.

01:49:32 MR. SIMPSON: He's a distinguished lawyer.
01:49:32 MR. SCAROLA: And I don't think we are
01:49:33 getting beyond anything that is a matter of
01:49:37 public record.
01:49:37 MR. SIMPSON: I just -- I --
01:49:38 MS. McCAWLEY: But I appreciate you --
01:49:38 MR. SIMPSON: Be aware of waiver.
01:49:39 MS. McCAWLEY: -- letting me know that.
01:49:40 THE WITNESS: All right. I will be -- I will
01:49:41 not waive anything, and if I start to do that, I
01:49:43 would certainly request the opportunity to -- to
01:49:45 retract what I'm doing, but I was aware -- since
01:49:48 the issue is, well, what's in the public record,
01:49:50 I was aware that, you know, probably the most
01:49:52 significant United States Supreme Court case
01:49:55 argued in the last 20 years was Bush versus Gore,
01:49:58 which was a case that essentially determined who
01:50:01 was going to be President of the most powerful
01:50:03 country in the world.
01:50:04 There were two attorneys who argued that case
01:50:05 in front of the United States Supreme Court, and
01:50:07 arguing for the Democratic Presidential
01:50:10 Candidate, Al Gore, was David Boies.
01:50:12 He had put his credibility on the line in
01:50:16 arguing the Bush versus Gore case, and without

01:50:19 going into any confidential communications or
01:50:22 trying to waive in any way, I knew that David
01:50:24 Boies had agreed to represent Virginia Roberts,
01:50:27 which gave me additional confidence in the fact
01:50:30 that I was also representing this young woman in
01:50:34 her effort to bring sex traffickers to justice,
01:50:37 and those who had sexually abused her to justice.
01:50:41 And so those are things that come to mind
01:50:46 immediately as -- let me just take a second and
01:50:50 see if there were other things regarding
01:50:56 Dershowitz that -- that come immediately --
01:51:01 immediately to mind.
01:51:03 Oh, one of the things was in the Jane Doe 102
01:51:09 complaint, which alleged academicians that had --
01:51:14 that had abused -- sexually abused Jane Doe 3,
01:51:19 there -- there were -- so that raises a question,
01:51:24 obviously, of who were the academicians that Bob
01:51:30 Josefsberg had identified?
01:51:31 I can't recall, actually. Let me -- the
01:51:33 record should be clear, I can't recall
01:51:34 immediately whether it was singular or plural.
01:51:36 It may have been plural, but if it's singular, I
01:51:36 don't want to suggest that there were other
01:51:40 academicians, but at least one academician had
01:51:42 sexually abused Jane Doe 3, according to the

01:51:45 complaint that had been filed by Bob Josefsberg.
01:51:48 There were two things that were of interest
01:51:49 to that: One was that Mr. Epstein, the man that
01:51:51 I wasn't able to get information from because he
01:51:54 was invoking the Fifth, had refused or declined
01:51:57 to file an answer to that complaint.
01:52:00 Rather than deny the allegations, he had,
01:52:03 ultimately, it's my understanding -- I don't have
01:52:05 inside information and I'm not trying to waive
01:52:07 any information, but my understanding is that
01:52:09 rather than answer the complaint, he settled the
01:52:11 case through the payment of some kind of
01:52:13 compensation that Jane Doe 102 found desirable
01:52:17 for dropping her claim.
01:52:19 The other thing that I found interesting is
01:52:21 that Josefsberg's partner, I believe it is,
01:52:25 Miss Ezell, had been to some of the depositions
01:52:29 of, for example, I believe Juan Alessi and
01:52:33 Alfredo Rodriguez. And I believe at least one of
01:52:35 those, and perhaps both of those. And she had
01:52:36 asked questions about Alan Dershowitz in those
01:52:39 depositions, but had not asked questions about
01:52:42 other academics in those depositions.
01:52:45 So that led me to conclude that Bob
01:52:51 Josefsberg and his outstanding law firm had

identified Alan Dershowitz as someone who had information relevant -- and let's be clear, that this is not a lawsuit about some contract dispute or something -- that he was someone who had information relevant to the sexual abuse of underage girls and, indeed, they were asking questions about what information -- what information he might have.

Another -- I know, I remember now, there's a whole other line of things that -- that I had in mind at the time, and I think since you want to test my memory -- I'm not -- let me be clear. I'm not claiming I have a superb memory. I have an average memory, but this is a subject that's very important to me, and so I've worked, you know, very hard to get all the information.

I would like to take a break.

MR. SCAROLA: Sure. Take a break.

THE VIDEOGRAPHER: We are going off the video record, 3:27 p.m.

(Thereupon, a recess was taken.)

THE VIDEOGRAPHER: We are back on the video record, 3:41 p.m.

THE WITNESS: I want to continue my answer. I'm sorry. I got emotional there for a moment.

I want to do a good job for Virginia Roberts on -- on representing all the -- the evidence that is available to support her.

The next thing that I was thinking of was, all right, then the question is: Well, what does Mr. Dershowitz have to say about all this? So I started to look at the information on that as well.

In 2009, there had been a deposition request sent to Mr. Dershowitz, and I -- I saw a document showing that that had actually been served on -- on him, and, you know, to the extent that what I saw was a -- I think a receipt from the process server, or something along those lines, so I saw attempt to contact him in -- in 2009.

And then I saw an additional attempt to contact him in 2011. Mr. Scarola had sent him a note and there was, you know, some back and forth. The -- the one note that -- that jumped out to me was one in which Mr. Scarola had written to Mr. Dershowitz, I think the phrase was: Multiple witnesses have placed you in the presence of Jeffrey Epstein and underage girls; I would like to depose you about those subjects.

And the answer that came back was not, well,

let me clear all of that misunderstanding up. You know, that's -- frankly, if I had gotten something like that, that's what I would have said.

The answer that came back was -- from Mr. Dershowitz was something along the lines of, if I remember correctly, well, tell me what you -- you -- tell me what you want to know and I'll decide whether to cooperate, was I think the phrase that was used. And -- and so there was an attempt, you know, a 2009 attempt, a 2011 attempt to get information from Mr. Dershowitz.

Then there was another subpoena without deposition for -- for documents. You know, we have heard a lot about records in this case that could prove innocence. There was a records request to Mr. Dershowitz in 2013. And, again, my understanding was that there was no -- you know, no documents were provided on that.

And so those -- I had that information. Another bit of information that I had was that in 2011, I believe in early April -- this is not attorney/client privileged information from Virginia Roberts. This is a telephone call that she placed from Australia where she had been

essentially forced into hiding by Jeffrey Epstein. She managed to escape and was hiding out in -- in Australia, and that she would -- that somehow, you know, Mr. Scarola and Mr. Edwards were able to reach her and there was a telephone call that was made.

And in that telephone call she identified Alan Dershowitz as someone who would have relevant information about Jeffrey Epstein and the sexual abuse of underage girls.

And so I had that information as well. So that, as I understand, the question was: What could I recall off the top of my head with regard to the factual basis for information connecting Mr. Dershowitz with the sexual abuse of minor girls, plural, and that, sitting here at this moment, is the best that I can recall for the information along those lines.

BY MR. SIMPSON:

Q. Was that answer --

MR. SCAROLA: Excuse me. Before -- before you go on to another subject, Professor Cassell is entitled to refresh his recollection to give you a complete response. So why don't you go ahead and do that now. Make sure you've covered

02:11:34 everything.
02:11:34 MR. SIMPSON: I'm -- I think I get to ask the
02:11:36 questions, but I was going to ask the same
02:11:38 question.
02:11:39 MR. SCAROLA: Wonderful. We are on the same
02:11:40 page.
02:11:40 BY MR. SIMPSON:
02:11:41 Q. Mr. Cassell, you -- you mentioned that you
02:11:43 had something that you had prepared --
02:11:44 A. **Yes.**
02:11:44 Q. -- that would summarize --
02:11:46 A. **Right.**
02:11:46 Q. -- your knowledge.
02:11:48 A. **Right.**
02:11:48 Q. And now that you have exhausted your
02:11:51 recollection, could you produce that and let's just mark
02:11:54 it --
02:11:54 A. **Yeah, sure.**
02:11:55 Q. -- as an exhibit?
02:11:56 MR. SIMPSON: We are up to Exhibit 3, I
02:11:59 believe. Cassell 3.
02:12:01 THE WITNESS: Right. Now, there -- there are
02:12:01 two parts to this --
02:12:02 MR. SIMPSON: Can we mark it first and
02:12:02 then --

02:12:04 THE WITNESS: Yeah. I just want the record
02:12:06 to be clear, that I'm only looking -- there's --
02:12:07 there's a pre-December 30th section and a
02:12:10 post-December 30th section, so the top part is
02:12:13 the -- is what I was working off of.
02:12:13 BY MR. SIMPSON:
02:12:15 Q. Okay.
02:12:15 A. **Now, underneath this is -- you know, if you**
02:12:18 **have questions about what happened after December 30th.**
02:12:19 Q. So you're -- you're prepared to produce the
02:12:22 entire document, but you're clarifying? I don't -- I
02:12:24 don't want to ask you -- if you're going to use it in
02:12:26 your testimony, then we will mark the whole thing.
02:12:27 MR. SCAROLA: Mark the whole thing. You can
02:12:30 use it.
02:12:30 MR. SIMPSON: Mark the whole thing and I'll
02:12:30 ask you about it.
02:12:30 THE WITNESS: That would be great.
02:12:33 Absolutely.
02:12:33 MR. SIMPSON: All right. I'm going to ask
02:12:35 the court reporter to mark as Cassell Exhibit 3,
02:12:39 a one-page document that the witness has just
02:12:42 handed to me. It's mostly typed. It has some
02:12:44 handwriting on it.
02:12:45 (Cassell I.D. Exhibit No. 3 - one-page

02:12:45 document produced by the witness was marked for
02:12:45 identification.)
02:13:10 THE WITNESS: All right. So let me -- if I
02:13:11 could look at this to see if it -- the top
02:13:13 portion of it to see if it refreshes my
02:13:13 recollection about --
02:13:13 BY MR. SIMPSON:
02:13:16 Q. Could I just see it for one second?
02:13:18 A. **Sure. Absolutely.**
02:13:21 Q. All right. Yeah. Let me just clarify one
02:13:27 point before you do that.
02:13:27 A. **Yes, sir.**
02:13:27 Q. In your answer, were you referring to the
02:13:28 evidence you could recall or the information you could
02:13:30 recall that supported your allegations as to both
02:13:34 Virginia Roberts and other minors, or were you treating
02:13:36 those separately?
02:13:37 A. **No, I was not treating those separately. I**
02:13:39 **was -- for me, there's a common -- what -- what the law**
02:13:42 **refers to as a common scheme or plan in a --**
02:13:42 Q. Okay.
02:13:44 A. **-- a criminal conspiracy for international**
02:13:46 **trafficking that involved not just a single girl, but**
02:13:49 **multiple girls. So the answer was -- was with respect**
02:13:52 **to -- to multiple girls.**

02:13:53 Q. Okay. So I may have some questions to
02:13:56 distinguish further between those two --
02:13:57 A. **Yes.**
02:13:58 Q. -- but is it fair to say that -- and I
02:14:02 realize you're going to refresh your recollection, but
02:14:05 that you had exhausted your recollection of the basis
02:14:07 for the allegation in this Exhibit 2, the motion to join
02:14:14 as to both Miss Roberts and other minors?
02:14:17 A. **Yes.**
02:14:17 Q. Okay. So then, now, take a look at that and
02:14:20 tell me if there's anything there that refreshes your
02:14:25 recollection as to something that you have not yet told
02:14:28 me about.
02:14:29 A. **So this refreshes my recollection. Sarah**
02:14:46 **Kellen. I think I referred to her as Miss Kellen.**
02:14:49 **Sarah Kellen was the first name.**
02:14:52 **Nadia Marcinkova, Nadia was the first name**
02:14:53 **there. Adrianna Mucinska was the full name of those --**
02:14:58 **that's the second echelon of the -- of the -- of the**
02:15:00 **criminal conspiracy.**
02:15:06 **Oh, this refreshes my recollection that**
02:15:08 **Jeffrey Epstein had answered some questions in the civil**
02:15:11 **litigation. He provided, for example, names of -- of**
02:15:15 **some people who were involved, but he took the Fifth**
02:15:18 **when asked -- he took -- he provided names of some**

02:15:21 people who would have relevant information in the civil
02:15:25 cases, but when asked in deposition about
02:15:29 Mr. Dershowitz, he took the Fifth.
02:15:31 So I -- I found it significant that for some
02:15:33 people, he was willing to answer questions, but with
02:15:35 regard to Mr. Dershowitz, he took his -- he invoked his
02:15:39 Fifth Amendment right against compelled
02:15:41 self-incrimination presumably because revealing what he
02:15:44 knew about Mr. Dershowitz would, you know, cause
02:15:48 criminal -- criminal charges potentially to be filed
02:15:51 against him.
02:15:52 There was a common scheme or plan, and I'll
02:16:08 elaborate on that in a moment, but yeah, one of -- so
02:16:14 this was another point. I mentioned that -- that there
02:16:17 had been three efforts to get information from
02:16:18 Mr. Dershowitz by way of a 2009 deposition request, a
02:16:23 2011 deposition request, and further follow-up
02:16:26 correspondence from counsel on that, and a 2013 document
02:16:31 request all propounded to Mr. Dershowitz that had not
02:16:34 gone answered.
02:16:35 Yeah, and this was -- yeah, I'm sorry, this
02:16:37 slipped my mind at the time -- but when -- when we saw
02:16:40 Mr. Dershowitz not responding to these answers, you
02:16:44 know, maybe the mail didn't get delivered to him or
02:16:46 something like that. I don't -- I suppose that's, you

02:16:48 know, a theoretical possibility.
02:16:50 But -- but the reason I ruled out that
02:16:52 possibility, first, it didn't seem likely; but secondly,
02:16:55 there was a pattern of Mr. Epstein's associates evading
02:16:59 efforts to get information from them.
02:17:02 And so let me just go back to the earliest
02:17:05 instance of that. According to the Chief of Police in
02:17:07 the Palm Beach -- of the Palm Beach Police Department,
02:17:11 Mr. Dershowitz had said that he would make available
02:17:14 Mr. Epstein for questions about the -- the sex, you
02:17:18 know, abuse that was going on. And, you know,
02:17:21 Mr. Dershowitz had said to the Palm Beach Police
02:17:23 Department, yeah, we will make him available; no, we got
02:17:25 to reschedule it; you know, and then another time,
02:17:28 reschedule, another time. And so there were multiple --
02:17:32 according to the Chief of Police, there had been
02:17:34 multiple, you know, requests to interview Mr. Epstein
02:17:36 and Mr. Dershowitz had repeatedly said: Oh, yeah, we
02:17:41 will schedule that, and then it hadn't happened.
02:17:43 Now, obviously, there could have been a
02:17:45 situation there where, you know, an emergency had come
02:17:47 up for Mr. Epstein and he wasn't able to make a schedule
02:17:49 or something like that. But what I saw was a -- was a
02:17:52 pattern of offers to -- to meet and then withdrawals,
02:17:55 and that seemed to me to be a deliberately calculated

02:18:00 strategy to sort of stall the investigation to say:
02:18:03 Well, we will get you Epstein; oh, we can't meet now;
02:18:03 oh, we will get it now -- and then -- and so forth.
02:18:04 And one of the things that I noted from all
02:18:06 that was that Mr. Dershowitz, as Mr. Epstein's attorney,
02:18:09 never ultimately produced Epstein for a meeting with the
02:18:14 Palm Beach Police Department, having made another offer.
02:18:17 Now, obviously, something could have happened
02:18:19 there. I mean, I don't -- you know, I don't know what
02:18:21 was the communications and so forth, but as an attorney
02:18:24 trying to get information and unable to do that, I had
02:18:26 to make some reasonable inferences.
02:18:29 And so one of the inferences I began to draw
02:18:31 was that this was a stall tactic by Mr. Dershowitz, and
02:18:34 in my view, potentially, an unethical one, but I
02:18:37 don't -- I don't think we need to get into that in this
02:18:39 litigation.
02:18:40 What I saw was a stall tactic going on,
02:18:44 and -- and the reason I think it was a stall tactic, as
02:18:46 we are sitting here now in, what is it, October of 2015,
02:18:51 and Mr. Epstein has never been willing to answer
02:18:54 questions about his sexual abuse of these girls.
02:18:58 And this was back in around -- what was it?
02:19:01 I guess it would be 2005, 2006, you know, roughly a
02:19:04 decade ago, Mr. Dershowitz was offering to make Epstein

02:19:07 available. And then that never happened, and given the
02:19:11 ten-year pattern that -- that developed -- I guess I
02:19:12 should go back. I'm sorry. Let me correct my answer.
02:19:14 We should go back to December 30th, 2014. So
02:19:17 there -- there appeared to be about an eight-year period
02:19:21 of time during which Mr. Epstein had refused to answer
02:19:24 any questions about his sexual abuse of girls and yet,
02:19:29 Mr. Dershowitz said, oh, it's just a scheduling issue
02:19:30 and -- and we will get the Palm Beach Police Department
02:19:33 to -- to, you know, to meet and -- and learn all this.
02:19:37 The other thing that I'm -- that I'm seeing
02:19:39 here, so now there's -- there's -- Mr. Dershowitz had
02:19:42 been involved in concealing Mr. Epstein from the Palm
02:19:46 Beach Police Department, but there were others that had
02:19:47 done similar sorts of things.
02:19:49 So one of them was a Ghislaine Maxwell. I
02:19:55 will just call her Glenn Maxwell. I think that's kind
02:19:55 of the nickname I understand she goes by.
02:19:59 So Glenn Maxwell -- remember, she is -- she
02:19:59 is the one, you know, I think the record is clear, in --
02:20:03 in -- in litigation that, you know, an allegation has
02:20:06 been made that she was the one that -- that brought
02:20:08 Virginia Roberts into the -- into the sex trafficking,
02:20:12 and was heavily involved with -- you know, on all the --
02:20:15 not all the flights, but on many of the flights with

02:20:17 Jeffrey Epstein where -- where this seemed to be going
02:20:19 on and was very close to Epstein, staying at the mansion
02:20:22 frequently.
02:20:23 And so she would, obviously, be -- I guess if
02:20:25 you have Epstein at the -- the top of the -- you know,
02:20:27 the kingpin of the operation, Maxwell would be, you
02:20:30 know, a close second or certainly at, you know, the
02:20:32 higher echelon.
02:20:33 So, obviously, someone who would have, you
02:20:35 know, very significant information about, you know, the
02:20:38 sex trafficking, who were the other people that the --
02:20:41 the girls were being trafficked to, what kind of abuse
02:20:43 was going on, you know, what kinds of sex toys were
02:20:46 being used to abuse them, because I think it was in her
02:20:48 room or -- or adjacent to her room that many of these --
02:20:52 these devices were located, and so she would have had
02:20:55 very significant information to provide.
02:20:57 And so in connection with the civil cases
02:21:00 that some of the girls had filed against Mr. Epstein,
02:21:02 her deposition was set, in fact, by my co-counsel,
02:21:05 Mr. Edwards, and then there was some haggling over a
02:21:10 confidentiality agreement, you know, what are we
02:21:12 gonna -- and that had all been worked out, and then she
02:21:14 was set for a deposition and finally agreed, you know,
02:21:16 to a deposition.

02:21:17 And just shortly, you know, I think a couple
02:21:19 of days before that deposition, she canceled. And well,
02:21:23 she didn't cancel. Her -- her attorney called to cancel
02:21:26 the deposition and represented that Miss Maxwell was
02:21:30 outside the United States of America and had no plans to
02:21:33 return back to the United States.
02:21:35 And so, at that point, the deposition was --
02:21:40 was not able to go forward. But it turned out that she
02:21:43 had not left the United States for an extended period of
02:21:46 time. She was spotted later at a wedding of a prominent
02:21:49 person in New York.
02:21:50 And so that was Maxwell fitting into this
02:21:52 pattern of, you know, Epstein was being told -- you
02:21:56 know, the Palm Beach Police Department being told by
02:21:57 Dershowitz that Epstein will answer your questions, and
02:22:00 then, you know, not -- not getting information, Maxwell
02:22:03 evading the deposition.
02:22:06 Jean Luc Brunel was another person who seemed
02:22:09 to be very much involved in -- in trafficking the girls,
02:22:10 and it was the same situation. A deposition was set to
02:22:13 try to get answers, you know, who is involved, which
02:22:16 girls are involved, what are their names, what's --
02:22:17 what's going on?
02:22:18 And so Brunel's deposition is set and then
02:22:25 he -- he finagles out of it too. I don't recall exactly

02:22:28 what his excuse was, but, you know, evaded the
02:22:31 deposition and, in fact, later information came to light
02:22:33 he was hiding out in, you know, in the mansion of
02:22:35 Epstein while he's claiming he's unavailable for -- for
02:22:39 deposition.
02:22:39 So -- so this pattern of Mr. Dershowitz, you
02:22:42 know, where there were three attempts to obtain
02:22:44 information from him, if that's all I had, I guess that
02:22:46 would have been one thing. But what I had was a pattern
02:22:49 of people who were implicated in this sex trafficking
02:22:52 ring evading questions, you know, quite in violation of
02:22:57 court orders and depositions and things -- I shouldn't
02:22:58 say court order -- in violation of the deposition
02:23:01 notices that were being sent and agreements being made,
02:23:03 you know, through counsel.
02:23:05 And then in addition to that, I had this, so
02:23:11 why -- why would you think that, you know, there's this
02:23:13 sex trafficking, you know, ring going on? It sounds
02:23:17 kind of farfetched.
02:23:18 Well -- well, one of the things that I had
02:23:19 available to me on December 30th was a photograph that
02:23:22 was widely available on the Internet, and that
02:23:26 photograph depicted three people.
02:23:28 It depicted Glenn Maxwell, Prince Andrew, and
02:23:34 Virginia Roberts, and the -- at the time that it looked

02:23:38 like Virginia Roberts was an underage girl. She was not
02:23:43 dressed in formal attire. And Prince Andrew had his arm
02:23:47 around her, I think if memory serves, and right next --
02:23:52 smiling in the background is Miss Maxwell, and it
02:23:54 appeared that that was a private residence, presumably
02:23:57 in London, close to Buckingham Palace where -- where
02:24:00 Prince Andrew lived.
02:24:01 And so here was Prince Andrew with this
02:24:03 underage girl with Glenn Maxwell, the -- the right-hand
02:24:05 girl, if that's the right expression -- I probably
02:24:07 should say -- strike that -- right-hand woman of --
02:24:11 of -- of Mr. Epstein -- that were there and somebody had
02:24:16 taken the photograph.
02:24:17 Given the surrounding circumstances, I
02:24:19 thought perhaps Mr. Epstein had taken the photograph.
02:24:21 So that would have shown Virginia Roberts's sexual abuse
02:24:24 was not confined just to Florida, not confined to the
02:24:27 New York mansion; it would have -- it would have
02:24:31 presumably continued into London where one of, you know,
02:24:37 the highest, most powerful persons in the governmental
02:24:43 structure that -- that exists in England was now
02:24:47 involved in -- in sexual abuse.
02:24:49 And so that created grave concern about, how
02:24:52 far did this sex trafficking ring reach; what were their
02:24:56 connections; what were their abilities to influence, you

02:25:01 **know, law enforcement agencies in those countries, you**
02:25:04 **know, in England, or law enforcement agencies in this**
02:25:07 **country, through -- through power that, you know,**
02:25:10 **somebody at that level, fifth I think in line to the**
02:25:15 **British Throne, would have, you know, presumably access**
02:25:17 **to levers of power that other people might not -- might**
02:25:21 **not have.**
02:25:22 **And so that is the -- I believe is the -- the**
02:25:29 **information that I had available to me on December 30th**
02:25:32 **involving not just Virginia Roberts, but the entire sex**
02:25:35 **trafficking organization.**
02:25:37 Q. Okay. And that -- just to clarify again, it
02:25:42 exhausts your refreshed recollection as to both the
02:25:46 information you were relying on as to the allegations
02:25:48 about Virginia Roberts, and as to the allegations about
02:25:52 other minors; is that right?
02:25:53 **A. Correct.**
02:25:53 Q. So I don't have to ask you separately about
02:25:55 Roberts?
02:25:56 **A. That's right. No, and I gave you a heads-up,**
02:25:58 **that was going to be a long answer.**
02:26:00 Q. You made Mr. Dershowitz look like an amateur.
02:26:03 If I could --
02:26:03 MR. SCAROLA: I'm sorry. Like a what?
02:26:04 MR. SIMPSON: Amateur, at the long answers.

02:26:07 THE WITNESS: Well, I wasn't trying to -- let
02:26:08 me be clear. I want the record to be clear: I
02:26:11 was not trying to filibuster. You asked me a
02:26:12 very direct question which was: I want to know
02:26:15 everything that was in your memory on December
02:26:17 30th, and as you can tell, this was a very
02:26:20 important subject to me, and it's very important
02:26:21 to Miss Roberts, and I wanted to be
02:26:24 comprehensive.
02:26:25 And I gave you the opportunity to say,
02:26:26 let's -- let's have a narrower question, and --
02:26:28 but you wanted the broad question and that's why
02:26:30 I did this, so I wasn't...
02:26:30 BY MR. SIMPSON:
02:26:30 Q. Mr. Cassell, I apologize for attempting humor
02:26:34 in this intense situation.
02:26:35 **A. This is very important to me.**
02:26:35 Q. I -- I -- I --
02:26:36 **A. This is not -- this is not something that I**
02:26:39 **find funny.**
02:26:40 Q. And -- well, it -- like I say, it's very
02:26:43 important to Mr. Dershowitz, or Professor Dershowitz
02:26:45 also. He was trying to answer questions. I'm not
02:26:47 questioning that you were trying to answer my question,
02:26:49 and I appreciate it.

02:26:51 Mr. Dershowitz was trying to do the same
02:26:53 thing and it is a difficult situation.
02:26:55 **A. All right.**
02:26:55 Q. So I was not trying to make light of the
02:26:58 questions I'm asking you.
02:26:58 **A. Right. This involves sexual abuse --**
02:26:58 Q. I understand that.
02:27:01 **A. -- of multiple girls.**
02:27:02 Q. I understand that. Your -- I understand the
02:27:04 allegations that have been made.
02:27:06 **A. And your side keeps attacking these girls.**
02:27:09 **That's why it's emotional for me.**
02:27:12 Q. That -- that part is not true, but I will ask
02:27:15 questions --
02:27:15 **A. I believe that part is true.**
02:27:16 THE WITNESS: I would like to take a break.
02:27:18 I'm sorry.
02:27:19 THE VIDEOGRAPHER: We are going off the video
02:27:21 record, 4:01 p.m.
02:30:41 (Thereupon, a recess was taken.)
02:30:41 THE VIDEOGRAPHER: We are back on the video
02:30:47 record, 4:04 p.m.
02:30:47 (Thereupon, Kenneth A. Sweder, Esquire, Alan
02:30:47 M. Dershowitz and Carolyn Cohen left the
02:30:48 proceedings.)

02:30:48 MR. SCAROLA: The record should reflect that
02:30:50 Mr. and Mrs. Dershowitz have -- are no longer
02:30:52 present.
02:30:53 MR. SIMPSON: Correct.
02:30:54 MR. SCAROLA: Thank you.
02:30:55 BY MR. SIMPSON:
02:30:56 Q. Mr. Cassell, would you agree with me that
02:31:00 accusing someone --
02:31:03 MS. McCAWLEY: Oh, I'm sorry. I just
02:31:04 realized that she stepped out to get water, I
02:31:06 believe. I didn't ask. I'm sure it's
02:31:08 probably okay --
02:31:08 THE WITNESS: It's all right.
02:31:08 MR. SCAROLA: It's all right.
02:31:11 MR. SIMPSON: That's okay with you?
02:31:11 THE WITNESS: Sure.
02:31:11 BY MR. SIMPSON:
02:31:13 Q. Would you agree with me that accusing a
02:31:17 person of -- an adult of engaging in sex with a minor is
02:31:24 a serious accusation?
02:31:26 **A. Sure.**
02:31:27 Q. And would you agree with me that the cause of
02:31:33 Victims' Rights is harmed and not furthered by false
02:31:39 allegations of sexual abuse?
02:31:41 **A. Sure.**

Exhibit 4

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CASE NO. CACE 15-000072

BRADLEY J. EDWARDS and PAUL G. CASSELL,

Plaintiffs/Counterclaim Defendants,

vs.

ALAN M. DERSHOWITZ,

Defendant/Counterclaim Plaintiff.
_______________________________________/

VIDEOTAPED DEPOSITION OF
PAUL G. CASSELL
TAKEN ON BEHALF OF THE DEFENDANT
VOLUME II, PAGES 152 to 335

Saturday, October 17, 2015
8:32 a.m. - 12:14 p.m.

425 North Andrews Avenue
Suite 2
Fort Lauderdale, Florida 33301

Theresa Tomaselli, RMR

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BRADLEY J. EDWARDS
ALAN M. DERSHOWITZ (Telephonically)

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Cassell's I.D. Exhibit No. 4	document produced by the witness	203
Cassell's I.D. Exhibit No. 5	copy of address book	229
Cassell's I.D. Exhibit No. 6	series of e-mails, Bates numbered BE-510 - -514	309

(Original Exhibits have been attached to the original transcript.)

DEPOSITION OF PAUL G. CASSELL

Saturday, October 17, 2015

THE VIDEOGRAPHER: We are now on the video
00:00:01 record. Today is Saturday, the 17th day of
00:00:03 October, 2015. The time is 8:32 a.m. We are
00:00:07 here at 425 North Andrews Avenue, Fort
00:00:10 Lauderdale, Florida, for the purpose of taking
00:00:11 the videotaped deposition of Paul G. Cassell.
00:00:14 The case is Bradley J. Edwards and Paul
00:00:17 G. Cassell versus Alan M. Dershowitz.
00:00:19 The court reporter is Terry Tomaselli, and
00:00:20 the videographer is Don Savoy, both from Esquire
00:00:23 Deposition Solutions.
00:00:24 Will counsel please announce their
00:00:26 appearances for the record.
00:00:27 MR. SCAROLA: Jack Scarola on behalf of the
00:00:30 Plaintiffs.
00:00:30 MR. SIMPSON: Richard Simpson of Wiley Rein
00:00:35 on behalf of the Defendant and Counterclaim
00:00:36 Plaintiff, Alan Dershowitz. With me is my
00:00:39 colleague, Nicole Richardson, and Thomas Scott of
00:00:44 Cole, Scott & Kissane, also for Mr. -- Professor
00:00:48 Dershowitz.
00:00:50 MR. SCAROLA: Before we begin the deposition,

00:00:52 we were informed for the first time yesterday
00:00:55 morning of the existence of a recording of a
00:01:01 telephone communication between Alan Dershowitz
00:01:05 and a woman identified only as Rebecca.
00:01:10 That information was conveyed to us
00:01:13 subsequent to Professor Dershowitz's sworn
00:01:16 testimony that no recording existed, but now that
00:01:20 we know that the recording existed and that it
00:01:23 was obviously made according to the
00:01:25 representations given to us, prior to the
00:01:29 completion of the responses to our earlier
00:01:31 discovery requests, I would like to know whether
00:01:34 it is the Defendant's position that it is
00:01:37 necessary for us to propound a new discovery
00:01:40 request to get information that clearly should
00:01:43 have been disclosed in response to the earlier
00:01:46 discovery request.
00:01:47 Is that the position that you're taking?
00:01:48 MR. SIMPSON: First, Mr. Scarola, I believe
00:01:50 you have mischaracterized Professor Dershowitz's
00:01:53 testimony. You didn't ask the question whether
00:01:55 he made a recording. Yesterday morning, he
00:01:57 provided that information in response to a
00:01:59 different question.
00:02:00 MR. SCAROLA: His exact testimony was: I

00:02:01 never thought to record it, but that's fine.
00:02:04 MR. SIMPSON: We don't -- we don't need to
00:02:05 make that --
00:02:05 MR. SCAROLA: We don't need to discuss that.
00:02:06 The question is --
00:02:06 MR. SIMPSON: What you're saying does --
00:02:06 MR. SCAROLA: -- are you going to produce the
00:02:08 recording without the necessity of a new request
00:02:10 to produce, or will it be necessary for us to
00:02:13 file a new request to produce?
00:02:15 MR. SIMPSON: As Mr. Scott indicated
00:02:17 yesterday, we will respond to you to the
00:02:19 discovery request. We will confer at a break and
00:02:23 respond to that question. I don't want to take
00:02:24 time on the record debating it. After Mr. Scott
00:02:28 and I have conferred at a break, we will respond
00:02:29 further to your question.
00:02:30 MR. SCAROLA: All right. So that the record
00:02:31 is clear, it is our position that the recording
00:02:35 itself, any evidence of any communication between
00:02:40 Mr. Dershowitz and Rebecca and/or Michael, any
00:02:45 notes with respect to any such communications,
00:02:50 text messages, e-mails, and an accurate privilege
00:02:57 log as to everything that is being withheld is
00:03:01 responsive to the earlier request to produce, and

00:03:04 that the obligation was to have provided it to us
00:03:08 previously and is to provide it to us now.
00:03:11 We understand that you're considering that
00:03:13 and you will respond, so we can proceed with the
00:03:15 deposition.
00:03:16 MR. SIMPSON: Yes. And we disagree about
00:03:17 that, and as you know, we have a motion to compel
00:03:19 regarding your inadequate privilege log.
00:03:24 MS. McCAWLEY: Just before we begin, I'm
00:03:24 sorry, I didn't announce my appearance for the
00:03:24 record. Sigrid McCawley from Boies, Schiller &
00:03:28 Flexner, and I have a standing objection that I'd
00:03:31 just like to repeat on the record.
00:03:32 MR. SCOTT: Feel better that you got that off
00:03:32 your chest?
00:03:32 MS. McCAWLEY: With respect to -- excuse me.
00:03:34 With respect to my client, Virginia Roberts,
00:03:37 she is asserting her attorney/client privilege
00:03:39 with her attorneys and is not waiving it through
00:03:41 any testimony here today, and that I object to
00:03:44 any testimony elicited that would be used as a
00:03:47 subject of waiver for her attorney/client
00:03:48 privilege.
MR. SIMPSON: Would you reswear the witness,
please?

Thereupon,

PAUL G. CASSELL,

having been first duly sworn, was examined and testified
as follows:

THE WITNESS: I do.

CONTINUED DIRECT EXAMINATION

BY MR. SIMPSON:

00:04:01 Q. Good morning --
00:04:01 A. **Good morning.**
00:04:01 Q. -- Mr. Cassell.
00:04:03 As of December 30th, 2014, had you ever met
00:04:08 with Virginia Roberts in person?
00:04:10 A. **Yes.**
00:04:10 Q. And how many times had you met with her in
00:04:14 person?
00:04:14 A. **Once.**
00:04:15 Q. When was that?
00:04:16 A. **Approximately May 2014.**
00:04:20 Q. May of 2014?
00:04:21 A. **Yes.**
00:04:21 Q. Who was present for that meeting?
00:04:24 A. **I'm just pausing for a second because I**
00:04:28 **don't -- I think we're --**
00:04:28 Q. I -- I'm not --
00:04:30 A. **-- clearly not trying to get into**

00:04:31 **attorney/client communication.**
00:04:32 Q. I'm not asking you for what was said at this
00:04:34 point. I'm just asking you who was present. I'm going
00:04:36 to ask you where it was, those kind of questions.
00:04:39 A. **Sure. Yeah. The main person who was present**
00:04:42 **was Bradley J. Edwards, my Co-Plaintiff in this case.**
00:04:45 Q. Okay. And Miss Roberts obviously was
00:04:47 present?
00:04:47 A. **Yes.**
00:04:48 Q. Anyone else present?
00:04:49 A. **You know, there were -- this was at the**
00:04:53 **Farmer, Jaffee office here, and so persons who were**
00:04:56 **associated with the law firm were assisting, but those**
00:05:00 **were the main people.**
00:05:00 Q. Okay. Do you remember any of those other
00:05:02 people associated with the law firm who were present?
00:05:05 A. **Present for, you know, coming in and**
00:05:08 **assisting, I believe Brad's assistant, Maria, was there,**
00:05:13 **and perhaps others at the firm, but it was -- it was**
00:05:17 **basically Brad and I.**
00:05:18 Q. Was there anyone else who attended for the
00:05:21 entire meeting or a substantial portion of the meeting?
00:05:23 A. **No.**
00:05:23 Q. Okay. How long did the meeting last?
00:05:26 A. **Approximately all day.**

00:05:28 Q. And when you say "all day," what time period
00:05:31 are you referring to?
00:05:32 A. **9:00 to 5:00.**
00:05:33 Q. 9:00 to 5:00. Okay. And was that through
00:05:38 lunch; you just stayed through eight hours; is that --
00:05:40 what's your recollection of that?
00:05:41 A. **Yeah, I remember we were working very hard**
00:05:43 **on -- on it, so I think we had, if I recall correctly,**
00:05:46 **had lunch brought in and worked straight through that.**
00:05:49 Q. Any other meetings in person with
00:05:53 Miss Roberts before December 30th of 2014?
00:05:57 A. **No.**
00:05:57 Q. Any telephone calls with her that you -- you
00:06:03 had, obviously, before December 30th, 2014?
00:06:07 A. **I believe there were a couple of -- of**
00:06:09 **telephone calls.**
00:06:09 Q. And can you tell us when those were?
00:06:12 A. **Let's see. Roughly September 2014. Give or**
00:06:18 **take a month. I mean, you know, sometime after May and**
00:06:22 **before December 30th.**
00:06:23 Q. Okay. And were those telephone calls between
00:06:27 just you and Miss Roberts, or was anyone else on the
00:06:31 line?
00:06:32 A. **No. It was just the two of -- just**
00:06:34 **Miss Roberts and I.**

00:06:35 Q. Okay. And are you able to distinguish the
00:06:38 calls in your mind as two separate telephone calls?
00:06:40 A. **I -- I think there were either one or two**
00:06:43 **calls. I think there may have been two, but it -- it**
00:06:46 **would not have been more than two that I can recall.**
00:06:49 Q. Okay. How long did each of the telephone
00:06:51 calls last?
00:06:52 A. **Less than five minutes.**
00:06:54 Q. I'm going to ask you a question now, but
00:06:59 before you answer it, pause, because I believe you will
00:07:01 be instructed not to answer it --
00:07:03 A. **Okay.**
00:07:03 Q. -- but want to -- I think -- we disagree on
00:07:07 the privilege --
00:07:07 A. **Sure.**
00:07:07 Q. -- we believe it's been waived.
00:07:07 My question is: During the meeting, did you
00:07:11 discuss Professor Dershowitz?
00:07:13 MS. McCAWLEY: I'm going to object to any
00:07:15 discussion of what my client told you during any
00:07:19 situation where you were representing her as
00:07:21 an -- an attorney.
00:07:22 MR. SIMPSON: So -- and I think we had an
00:07:24 agreement yesterday, if you follow your own
00:07:28 counsel's instruction on not answering, are you

00:07:28 also going to follow Miss McCawley's instructions
00:07:32 on not answering on behalf of --
00:07:32 MR. SCAROLA: Mr. Cassell will follow the
00:07:36 instructions of Virginia Roberts' counsel. It is
00:07:38 not his privilege to waive, and he is ethically
00:07:42 obliged to respect the direction coming from
00:07:46 Virginia Roberts' counsel.
00:07:48 MR. SIMPSON: Yes, I'm -- I'm simply,
00:07:49 Mr. Scarola, making my record that the witness --
00:07:52 MR. SCAROLA: I understand that.
00:07:52 MR. SIMPSON: Right. We disagree.
00:07:53 MR. SCAROLA: I understand, but you can
00:07:54 assume the same way I have authorized you to
00:07:58 assume that Professor Cassell will follow my
00:08:01 instructions, Professor Cassell will also follow
00:08:04 all instructions concerning the assertion of
00:08:07 attorney/client privilege expressed on the record
00:08:10 by Miss McCawley on behalf of Virginia Roberts.
00:08:13 MR. SIMPSON: All right.
00:08:14 BY MR. SIMPSON:
00:08:16 **Q.** So, Mr. Cassell, based on that, I will assume
00:08:21 that if I ask you what you recall the discussion being
00:08:24 at the meeting or at each of the phone calls, that
00:08:29 you're not going to answer those questions; is that
00:08:29 correct?

00:08:29 MS. McCAWLEY: Yes.
00:08:30 THE WITNESS: Yeah, obviously not.
00:08:30 BY MR. SIMPSON:
00:08:30 **Q.** Okay.
00:08:32 **A. I mean, I have a duty to my client which I'm**
00:08:36 **going to respect.**
00:08:36 **Q.** All right. So we'll -- we'll take that up
00:08:37 later with the judge.
00:08:39 As of December 30th, 2014, had you spoken
00:08:44 about this case with David Boies, and the question is
00:08:47 just: Had you spoken --
00:08:48 MS. McCAWLEY: Objection.
00:08:48 BY MR. SIMPSON:
00:08:50 **Q.** -- not what the discussion was.
00:08:51 MS. McCAWLEY: Objection. It's the
00:08:52 common-interest privilege.
00:08:52 BY MR. SIMPSON:
00:08:53 **Q.** I'm only asking if there was a discussion, no
00:08:55 substance at all. Just, was there a discussion?
00:08:58 MS. McCAWLEY: I'm going to instruct you not
00:09:00 to answer that.
00:09:01 MR. SIMPSON: Okay. You're taking the
00:09:02 position that the fact of whether or not --
00:09:04 MS. McCAWLEY: Yes, because you're also
00:09:05 trying to get into the timing of communications,

00:09:08 and all that goes into the advice that they were
00:09:08 giving her and surrounding that advice, so I
00:09:11 would object to that.
00:09:12 MR. SCAROLA: Could I have the question read
00:09:15 back?
00:09:15 (Thereupon, a portion of the record was read
00:09:15 by the reporter.)
00:09:33 MS. McCAWLEY: And I would like to clarify
00:09:33 what case as well that you're referring to.
00:09:34 MR. SIMPSON: All right. Let me ask the
00:09:36 question, and -- and I will note for the record
00:09:38 that yesterday, the witness testified that the
00:09:40 fact that Mr. Boies was representing Virginia
00:09:42 Roberts was significant to him. So it's sort of
00:09:47 being used as a sword and a shield here, but I
00:09:48 have only asked the question. I'll clarify.
00:09:48 MR. SCAROLA: We haven't used it any way yet.
00:09:51 MR. SIMPSON: Well, the -- the witness
00:09:52 volunteered. Shall I put it that way? And we
00:09:54 have a waiver.
00:09:54 BY MR. SIMPSON:
00:09:55 **Q.** But, in any event, my question is: Have you
00:09:58 spoken -- before December 30th of 2014, had you spoken
00:10:02 with David Boies about Virginia Roberts' allegations
00:10:06 regarding Professor Dershowitz?

00:10:10 MR. SCAROLA: Without getting into the
00:10:13 substance of any such discussions, you can answer
00:10:16 that question.
00:10:17 THE WITNESS: My recollection is no.
00:10:20 MR. SCOTT: I think you're right on that one.
00:10:20 BY MR. SIMPSON:
00:10:22 **Q.** Okay. So the answer is, no, you had not
00:10:23 spoken with him?
00:10:23 **A. My recollection --**
00:10:24 MR. SCAROLA: Judge Scott has issued a
00:10:27 ruling, so --
00:10:29 MR. SCOTT: I wrote several opinions on that
00:10:29 actually.
00:10:29 MR. SCAROLA: -- we'll proceed.
00:10:29 THE WITNESS: Let me go back --
00:10:29 MR. SCOTT: In the context of criminal
00:10:33 lawyers.
00:10:33 THE WITNESS: I'm trying to remember if I
00:10:34 wrote any opinions on that one when I was a
00:10:36 judge. My -- I don't recall, but -- I don't
00:10:41 recall. I -- my recollection is I had not
00:10:42 personally spoken to David Boies before December
00:10:44 30th, 2014.
00:10:44 BY MR. SIMPSON:
00:10:45 **Q.** Okay. Had you, before December 30th of 2014,

00:10:53 spoken with any other lawyers at Mr. Boies' firm?
00:10:58 **A. My recollection is, no.**
00:11:02 Q. And after December 30th of 2014, have you
00:11:08 spoken with Mr. Boies about Virginia Roberts's
00:11:13 allegations against --
00:11:15 MS. McCAWLEY: Again, I'm going to object.
00:11:15 BY MR. SIMPSON:
00:11:16 Q. -- Professor Dershowitz?
00:11:19 MS. McCAWLEY: Sorry. I will let you finish.
00:11:19 I'm objecting to this. I think it gets into
00:11:20 the substance of conversations under the
00:11:24 common-interest privilege, whether there was a
00:11:25 conversation, but you're getting into the
00:11:27 substance of what the conversation was about, and
00:11:28 I think that is a violation of her -- her
00:11:31 privilege.
00:11:31 MR. SCAROLA: And just so that I can clarify
00:11:34 our position on the record, I think that we can
00:11:38 identify the general subject matter in order to
00:11:42 support our position that it falls within the
00:11:45 common-interest privilege. So we are willing to
00:11:48 answer the question about the general subject
00:11:51 matter to support our assertion of
00:11:53 common-interest privilege, but not get into the
00:11:56 substance of the communications beyond that.

00:11:58 MR. SIMPSON: And I believe it's the same
00:12:00 question that was answered a moment ago for a
00:12:02 different time period, and again, I'm not asking
00:12:05 for any substance. I'm just asking whether,
00:12:07 since December 30th, 2014, you have discussed the
00:12:13 allegations by Virginia Roberts against Professor
00:12:17 Dershowitz.
00:12:17 THE WITNESS: I would like to confer with my
00:12:19 counsel on that question. It gets into a
00:12:22 complicated legal issue that I'm not sure I
00:12:25 can --
00:12:25 MR. SIMPSON: You want to confer on a
00:12:26 privilege issue; is that right?
00:12:27 THE WITNESS: I want to confer with my
00:12:29 counsel before answering that question anyway.
00:12:32 MR. SIMPSON: I just want to clarify --
00:12:32 MR. SCAROLA: With respect to privilege.
00:12:33 MR. SIMPSON: All right. As long as it's
00:12:35 with respect to privilege, you're entitled to do
00:12:37 that.
00:12:37 THE WITNESS: Okay.
00:12:38 THE VIDEOGRAPHER: We are going off the video
00:12:40 record, 8:45 a.m.
00:14:50 (Thereupon, a recess was taken.)
00:14:50 THE VIDEOGRAPHER: We are back on the video

00:14:54 record, 8:47 a.m.
00:14:54 MR. SCAROLA: As it turns out, while we may
00:14:57 reach some issue of privilege at some point in
00:14:59 this discussion, the answer to your pending
00:15:01 question is, no, so there's no privilege concern.
00:15:04 MR. SIMPSON: All right. I'll -- I'll ask
00:15:06 the witness for the --
00:15:07 MR. SCAROLA: Sure.
00:15:08 MR. SIMPSON: -- the -- the answer. I'll
00:15:10 move to -- I'll reask the question.
00:15:11 THE WITNESS: Sure. That will be good.
00:15:11 BY MR. SIMPSON:
00:15:12 Q. My question is: I believed you had already
00:15:15 answered the question as to before December 30th, 2014,
00:15:19 you had discussed Miss Roberts' allegations against
00:15:21 Professor Dershowitz, and you said, no; is that right?
00:15:25 MR. SCAROLA: David Boies.
00:15:28 MR. SIMPSON: David Boies. I'm sorry.
00:15:28 THE WITNESS: Before December 30th, no
00:15:31 discussions that I can recall with David Boies.
00:15:31 BY MR. SIMPSON:
00:15:34 Q. After December 30th, 2014, did you have any
00:15:37 discussions with David Boies about Professor Dershowitz?
00:15:42 **A. Can I --**
00:15:44 MR. SCAROLA: You can answer yes or no.

00:15:45 THE WITNESS: Yes.
00:15:46 BY MR. SIMPSON:
00:15:47 Q. You did.
00:15:47 **A. Yes.**
00:15:48 Q. What was the substance of those
00:15:51 communications?
00:15:52 MS. McCAWLEY: I'm going to object to that.
00:15:53 You -- it's under the common-interest privilege
00:15:55 and it's Virginia's privilege to waive, and she's
00:15:57 not waiving it.
00:15:58 MR. SIMPSON: Okay.
00:15:58 MR. SCAROLA: We -- we assert the
00:16:01 common-interest privilege with regard to the
00:16:02 substance as well.
00:16:03 MR. SIMPSON: All right. And that -- that
00:16:04 will be -- that will be asserted as to all
00:16:06 questions about the substance of the discussions
00:16:09 with Mr. Boies; is that right?
00:16:11 MR. SCAROLA: I can't say that for sure.
00:16:14 MR. SIMPSON: All right. Let me ask my
00:16:15 question then.
00:16:15 MR. SCAROLA: And let -- maybe this -- maybe
00:16:17 this will help you and maybe it won't. But,
00:16:20 obviously, there have been some public statements
00:16:27 with regard to this general area. If the

00:16:33 communications were not considered to be
00:16:34 privileged at the time that they were made, we
00:16:37 can answer questions about that. If they were
00:16:39 considered to be privileged at the time they were
00:16:41 made, we can't answer questions.
00:16:42 So I can't tell you that there's a blanket
00:16:45 assertion. We need to hear the question.
00:16:47 THE WITNESS: I need the question back.
00:16:47 MR. SIMPSON: All right.
00:16:48 BY MR. SIMPSON:
00:16:49 **Q.** What did you discuss with Mr. Boies about the
00:16:53 allegations against Professor Dershowitz?
00:16:55 MR. SCAROLA: And that is common-interest
00:16:58 privilege information and we do assert a
00:17:00 privilege.
00:17:00 BY MR. SIMPSON:
00:17:01 **Q.** Did you discuss with Mr. Boies any
00:17:05 discussions he had had with Professor Dershowitz?
00:17:08 MS. McCAWLEY: Objection.
00:17:09 MR. SCAROLA: Same objection. Same
00:17:11 instruction.
00:17:11 BY MR. SIMPSON:
00:17:12 **Q.** Did you discuss with Mr. Boies any documents
00:17:15 that Mr. Boies had reviewed?
00:17:18 MR. SCAROLA: Well, let me -- again, I don't

00:17:23 want to be asserting a privilege to questions as
00:17:26 to which the answer is no, so you can answer
00:17:34 generally as to whether the subject matter was
00:17:40 covered in any discussion that you had with
00:17:42 Mr. Boies.
00:17:43 THE WITNESS: Okay.
00:17:44 MR. SCAROLA: Okay. If the answer is no. If
00:17:47 the answer -- as I sink down in this chair, if
00:17:51 the answer may be yes, you can't respond.
00:17:56 MR. SIMPSON: I -- I -- that's a new version.
00:17:58 MS. McCAWLEY: I'm afraid -- yeah, I want
00:18:00 to -- I'm sorry. I want to confer on that
00:18:01 because I have an objection.
00:18:02 THE WITNESS: I have to say I want to confer,
00:18:04 I'm confused, too, so let's take a short break.
00:18:06 MR. SIMPSON: Again, you're conferring on the
00:18:06 privilege now, not the substance?
00:18:06 THE WITNESS: That's right.
00:18:06 MR. SCAROLA: Can we go off the record?
00:18:14 MR. SIMPSON: Yes.
00:18:14 THE VIDEOGRAPHER: Going off the video
00:18:17 record, 8:48 a.m.
00:19:54 (Thereupon, a recess was taken.)
00:19:54 THE VIDEOGRAPHER: We are back on the video
00:20:06 record, 8:52 a.m.

00:20:09 MR. SCAROLA: Because of concern about a --
00:20:14 an inadvertent potential waiver of the
00:20:18 work-product privilege, while it is not our
00:20:21 intent to assert a privilege with regard to
00:20:27 nonexistent communications, any effort to
00:20:33 identify the subject matter of communications in
00:20:37 the questions that you asked will require that we
00:20:40 assert work-product privilege with regard to
00:20:43 those questions.
00:20:44 MR. SIMPSON: Okay. We disagree, obviously,
00:20:46 on that position.
00:20:47 MR. SCAROLA: We understand.
00:20:48 MR. SIMPSON: So I will ask some additional
00:20:49 questions and we will see if the witness answers
00:20:53 them.
00:20:53 MR. SCAROLA: If it begins: "Did you talk
00:20:54 about," the answer is going to be an assertion of
00:20:58 privilege.
00:20:58 MR. SIMPSON: Okay.
00:20:58 MR. SCAROLA: Okay?
00:20:59 MR. SIMPSON: I'll ask the questions.
00:21:00 BY MR. SIMPSON:
00:21:05 **Q.** Did you discuss with Mr. Boies any meetings
00:21:09 Mr. Boies had had with Professor Dershowitz?
00:21:12 MS. McCAWLEY: Objection.

00:21:13 MR. SCAROLA: Objection. Same instruction.
00:21:15 BY MR. SIMPSON:
00:21:15 **Q.** Did you discuss with Mr. Boies his views as
00:21:20 to the credibility of Virginia Roberts?
00:21:22 MR. SCAROLA: Same objection.
00:21:23 MS. McCAWLEY: Objection.
00:21:23 MR. SCAROLA: Same instruction.
00:21:25 BY MR. SIMPSON:
00:21:25 **Q.** Did you discuss with Mr. Boies any
00:21:35 allegations about sexual misconduct by Les Wexner?
00:21:41 MR. SCAROLA: Same objection.
00:21:44 MS. McCAWLEY: Objection.
00:21:44 MR. SCAROLA: Same instruction.
00:21:44 MR. SIMPSON: That's the same question you
00:21:46 allowed to be answered. Did you -- let me ask it
00:21:47 a different way.
00:21:47 BY MR. SIMPSON:
00:21:48 **Q.** Did you discuss, in any way, Les Wexner with
00:21:51 Mr. Boies?
00:21:51 MR. SCAROLA: Same objection.
00:21:51 MS. McCAWLEY: Objection.
00:21:53 MR. SCAROLA: Same instruction.
00:21:55 MR. SIMPSON: He's instructed not to answer
00:21:55 whether that topic was discussed?
00:21:56 MR. SCAROLA: Yes.

00:21:57 MS. McCAWLEY: Yes.
00:21:57 MR. SIMPSON: Okay.
00:21:57 BY MR. SIMPSON:
00:22:02 **Q.** Did you discuss former Prime Minister Barak
00:22:06 with Mr. Boies?
00:22:08 MR. SCAROLA: Same objection.
00:22:08 MS. McCAWLEY: Objection.
00:22:08 MR. SCAROLA: Same instruction.
00:22:10 BY MR. SIMPSON:
00:22:12 **Q.** Yesterday, you mentioned that one of the
00:22:14 reasons that supported your conclusion that it -- you
00:22:20 had an adequate basis to allege in the joinder motion
00:22:25 that the allegations against Professor Dershowitz was
00:22:29 that Mr. Boies was representing Virginia Roberts -- yes,
00:22:31 Virginia Roberts; do you recall that testimony?
00:22:35 **A. Yes.**
00:22:36 **Q.** And you said that because of how highly
00:22:40 regarded Mr. Boies was, I think you mentioned the Bush
00:22:45 v. Gore case; is that right?
00:22:45 **A. Yes.**
00:22:45 **Q.** I used to work for his opponent in Bush v.
00:22:49 Gore case. They are both very good.
00:22:50 **A. I'm trying -- I was trying to remember. I'm**
00:22:51 **sorry to take time, but who was the other lawyer?**
00:22:53 **Q.** Ted Olson.

00:22:54 **A. Ted, that's right. That's...**
00:22:55 **Q.** But that's a side note.
00:22:57 My question is: Given your high regard for
00:23:00 Mr. Boies, would you -- would his views as to the
00:23:07 credibility of Virginia Roberts be something that would
00:23:10 be important to you in evaluating the case?
00:23:12 MS. McCAWLEY: Objection.
00:23:12 MR. SIMPSON: Are you instructing him not to
00:23:15 answer?
00:23:15 MS. McCAWLEY: I mean, is it a hypothetical?
00:23:18 MR. SIMPSON: No. I'm just asking whether
00:23:19 his views -- those views -- I'm not asking what
00:23:19 the views are. I'm simply asking whether those
00:23:23 views would be important to him.
00:23:23 MR. SCAROLA: You may answer that question.
00:23:25 THE WITNESS: Yes.
00:23:25 BY MR. SIMPSON:
00:23:28 **Q.** And if I -- I may have asked this already,
00:23:30 but did you discuss with Mr. Boies his views as to the
00:23:35 credibility of Miss Roberts?
00:23:38 MS. McCAWLEY: Objection.
00:23:39 MR. SCAROLA: Same objection. Same
00:23:40 instruction.
00:23:41 BY MR. SIMPSON:
00:23:53 **Q.** Prior to December 30th of 2014, had you

00:23:58 discussed Virginia Roberts' allegations of sexual
00:24:07 misconduct against Professor Dershowitz with Bob
00:24:14 Josefsberg?
00:24:14 **A. Me personally?**
00:24:18 **Q.** Yes, you personally.
00:24:18 **A. No.**
00:24:18 **Q.** After December 30th of 2014, had you -- did
00:24:24 you discuss with Mr. Josefsberg Ms. Roberts' allegations
00:24:30 against Professor Dershowitz?
00:24:32 **A. Not personally, no.**
00:24:32 **Q.** You say not personally. Are you aware of
00:24:36 someone else who had those discussions of -- with Mr. --
00:24:39 had any discussions on that topic with Mr. Josefsberg?
00:24:43 MR. SCAROLA: To the extent that that
00:24:46 question would call for any information that was
00:24:51 communicated to you in the context of the
00:24:55 common-interest privilege, you should not answer.
00:25:00 THE WITNESS: All right. I'm not going to...
00:25:03 MR. SCAROLA: So you -- you can answer it if
00:25:04 any such communication came to you outside the
00:25:07 context of the common-interest privilege, but you
00:25:10 may not include in your response any information
00:25:12 derived from the common-interest privilege.
00:25:12 BY MR. SIMPSON:
00:25:15 **Q.** And my question right now is not the

00:25:17 substance. We will get to that. But, to your
00:25:19 knowledge -- put -- let me rephrase that.
00:25:24 Did someone tell you that they had discussed
00:25:26 with Mr. Josefsbergs -- Josefsberg, the allegations made
00:25:32 by Miss Roberts against Professor Dershowitz?
00:25:35 MR. SCAROLA: You may only answer that
00:25:36 question to the extent that you had any
00:25:39 communication regarding that subject matter with
00:25:43 someone outside the common-interest privilege, or
00:25:46 the attorney/client privilege for that matter.
00:25:46 BY MR. SIMPSON:
00:25:48 **Q.** I'm simply -- I'm not asking for substance,
00:25:50 just the name if you did.
00:25:52 MR. SCAROLA: Well, I understand that, but
00:25:54 following along the same lines as before, you are
00:25:57 asking us to identify the subject matter of a
00:26:01 communication that is privileged. We won't
00:26:04 answer questions regarding the subject matter of
00:26:07 privileged communications, but if
00:26:09 Professor Cassell had a conversation with Sam
00:26:14 Smith standing on the street corner about Bob
00:26:17 Josefsberg, he can answer that question.
00:26:20 BY MR. SIMPSON:
00:26:20 **Q.** Did you have a conversation with anyone --
00:26:24 just narrow question: Did you have a conversation with

00:26:26 anyone who told you that they, that person, had
00:26:32 discussed the subject matter of Virginia Roberts's
00:26:36 allegations against Professor Dershowitz with
00:26:38 Mr. Josefsberg? Just did you discuss it with anyone?
00:26:41 MR. SCAROLA: Same objection. Same
00:26:42 instruction.
00:26:42 MR. SIMPSON: Okay.
00:26:43 MR. SCAROLA: If you want to rephrase the
00:26:44 question to ask him whether he had such a
00:26:46 conversation with anyone outside the
00:26:48 attorney/client or work-product privilege, that's
00:26:51 a question that we are obliged to answer.
00:26:55 The question, as you phrased it, is a
00:26:56 question that we are precluded from answering.
00:26:59 MR. SIMPSON: That's a very strange notion of
00:27:01 privilege.
00:27:01 BY MR. SIMPSON:
00:27:01 Q. But let me ask it this way: Did you discuss
00:27:07 with anyone who is not an attorney -- let me rephrase it
00:27:15 a different way.
00:27:16 You testified yesterday about your
00:27:18 understanding of the scope of the alleged
00:27:21 common-interest privilege, correct?
00:27:23 A. **Yes.**
00:27:23 Q. Putting aside the people within the scope of

00:27:23 that privilege --
00:27:23 A. **Yes.**
00:27:27 Q. -- that you identified --
00:27:27 A. **Uh-huh.**
00:27:30 Q. -- your definition of it --
00:27:31 A. **Right. That's right.**
00:27:31 Q. -- did you discuss the topic -- did anyone
00:27:34 tell you they had discussed the topic of Virginia
00:27:37 Roberts's allegations against Professor Dershowitz with
00:27:40 Mr. Josefsberg?
00:27:41 MR. SCAROLA: You may not answer that
00:27:44 question to the extent the question still
00:27:45 encompasses attorney/client privileged
00:27:49 communications. If you want to rephrase the
00:27:50 question to exclude both common-interest
00:27:55 privileged communications and attorney/client
00:27:57 privileged communications, that's a question we
00:28:00 are prepared to answer.
00:28:01 Otherwise, we are prohibited from answering
00:28:04 the question as phrased as a consequence of it
00:28:09 encompassing privileged communications.
00:28:12 MR. SIMPSON: As he defined the
00:28:14 common-interest privileged group, it included
00:28:17 attorney/client, but I think at this point the
00:28:20 explanations you're providing aren't really

00:28:23 helpful. So please just instruct him to answer
00:28:25 or not answer, and we will let the judge decide.
00:28:27 MR. SCAROLA: Well, the instruction -- I only
00:28:29 gave the explanation in the hope that it might
00:28:31 facilitate the examination and allow you to move
00:28:33 to areas where you can get substantive
00:28:36 information.
00:28:36 I apologize if you consider it a waste of
00:28:39 time. So I will simply instruct Professor
00:28:42 Cassell not to answer the question as phrased.
00:28:45 If you ever want an explanation as to the basis
00:28:47 of my instruction, I'm prepared to give that to
00:28:50 you.
00:28:50 MR. SIMPSON: Thank you. That -- that's a
00:28:51 helpful way to proceed.
00:28:52 MR. SCAROLA: Okay.
00:28:53 BY MR. SIMPSON:
00:28:56 Q. Have you -- well, let's start this way: Have
00:28:58 you discussed with any of the attorneys within what you
00:29:05 described as the common-interest attorney/client group,
00:29:12 whether that person had discussed with Mr. Josefsberg
00:29:16 Virginia Roberts's allegations against Professor
00:29:20 Dershowitz?
00:29:20 MR. SCAROLA: Same objection. Same
00:29:20 instruction.

00:29:20 BY MR. SIMPSON:
00:29:22 Q. Have you discussed with anyone who is not an
00:29:27 attorney for Miss Roberts whether -- strike that.
00:29:33 Has anyone who is not an attorney for
00:29:35 Miss Roberts told you that they had discussed with
00:29:40 Mr. Josefsberg the allegations against -- by Virginia
00:29:46 Roberts against Professor Dershowitz?
00:29:47 MR. SCAROLA: Same objection. Same
00:29:48 instruction.
00:29:48 BY MR. SIMPSON:
00:29:59 Q. Have you personally spoken with anyone else
00:30:03 at Mr. Josefsberg's firm, other than him, about Virginia
00:30:12 Roberts's allegations against Professor Dershowitz?
00:30:15 A. **Not to my knowledge.**
00:30:16 MS. McCAWLEY: I'm sorry. I'm sorry. Can
00:30:18 you read that back?
00:30:19 MR. SCAROLA: Was a communication with anyone
00:30:20 else in Bob Josefsberg -- Bob Josefsberg's firm,
00:30:25 personal communication between Professor Cassell
00:30:28 and any firm member of Bob Josefsberg.
00:30:31 MS. McCAWLEY: Okay.
00:30:31 BY MR. SIMPSON:
00:30:31 Q. And the answer was, not that you recall?
00:30:34 A. **Not to my knowledge. I don't know all the**
00:30:34 **members of his firm, but I certainly have no**

00:30:37 **recollection of talking to, you know, anyone who is --**
00:30:39 **who was in his firm.**
00:30:40 Q. Okay.
00:30:41 **A. I -- I think the record should be clear,**
00:30:43 **I'm -- I'm an attorney and a law professor in Salt Lake**
00:30:46 **City, Utah, and my understanding, he's an attorney here**
00:30:49 **in Florida. So I don't ordinarily interact with --**
00:30:51 **with, you know, attorneys in Florida, other than the**
00:30:54 **ones that I'm interacting with on -- on this case.**
00:30:56 MR. SCAROLA: Which is now occurring on a
00:30:58 very regular basis.
00:31:01 BY MR. SIMPSON:
00:31:01 Q. Mr. Cassell --
00:31:01 MR. SCOTT: No teaming, Mr. Scarola, please.
00:31:01 BY MR. SIMPSON:
00:31:04 Q. -- did -- didn't you testify yesterday that
00:31:05 the fact that Mr. Josefsberg's firm had filed a
00:31:10 complaint against Miss Roberts, who is also your client,
00:31:12 to be significant to your evaluation of the case?
00:31:15 **A. Yes.**
00:31:15 Q. And if it -- if that was significant to
00:31:18 evaluation of the case, why are you telling us you don't
00:31:20 normally talk with attorneys in Florida? Doesn't he
00:31:25 represent -- at one point, represent the same client?
00:31:26 **A. Right.**

00:31:27 Q. And so wouldn't it be natural for you to be
00:31:29 speaking with -- at least within the realm of something
00:31:33 one might expect for you to speak?
00:31:35 **A. If I were a solo representative of Virginia**
00:31:38 **Roberts, that would be the case, but I think you're**
00:31:40 **obviously aware that I have co-counsel on this case, and**
00:31:43 **there are other attorneys who are also participating in**
00:31:46 **this matter.**
00:31:47 **So I think it would be obvious that if**
00:31:50 **there's a division of labor, it might not be along the**
00:31:53 **lines that you're suggesting. And I can't go any**
00:31:55 **further without going into work product and other issues**
00:31:59 **surrounding Miss Roberts' representation.**
00:32:01 Q. Has Mr. Boies ever told you that he believes
00:32:05 Miss Roberts was mistaken in her accusations against
00:32:08 Professor Dershowitz?
00:32:09 MR. SCAROLA: Same objection. Same
00:32:11 instruction.
00:32:12 MS. McCAWLEY: Same instruction.
00:32:13 THE WITNESS: I'd like to confer with my
00:32:15 counsel on a attorney/client privilege issue in
00:32:19 connection with that question.
00:32:19 MS. McCAWLEY: Can I just write down the
00:32:19 question and --
00:32:20 MR. SIMPSON: I'll -- I'll rephrase it.

00:32:20 BY MR. SIMPSON:
00:32:22 Q. Have you ever -- I'll rephrase the question.
00:32:25 Have you ever discussed with Mr. Boies his
00:32:30 views as to whether or not Miss Roberts is mistaken in
00:32:37 her allegations against Professor Dershowitz?
00:32:39 MS. McCAWLEY: Objection.
00:32:39 MR. SCAROLA: Same objection. Same
00:32:40 instruction.
00:32:45 BY MR. SIMPSON:
00:32:46 Q. Prior to December 30th of 2014, had you
00:32:52 personally reviewed any of the flight logs that had been
00:32:56 referred to in the testimony in this case?
00:32:58 **A. All right?**
00:33:02 Q. My only question is whether you personally
00:33:03 reviewed them.
00:33:04 **A. Yes.**
00:33:04 Q. What flight logs have you reviewed; how would
00:33:07 you describe them?
00:33:08 **A. Both Exhibit 1 and Exhibit 2 that were shown**
00:33:13 **to Mr. Dershowitz yesterday.**
00:33:15 Q. If -- I believe those were Exhibits 6 and
00:33:19 7 --
00:33:19 **A. Okay.**
00:33:19 Q. -- but can we agree that flight logs were
00:33:21 marked as exhibits?

00:33:22 **A. Right. The two composite exhibits of flight**
00:33:26 **logs I had examined previously.**
00:33:27 Q. Okay. So the same documents that Professor
00:33:30 Dershowitz was shown at his deposition; is that right?
00:33:34 **A. That's my recollection, yes.**
00:33:35 Q. Okay. When did you review those?
00:33:37 **A. So one of the reviews was in May 2014. There**
00:33:46 **may have also been an earlier review at an earlier --**
00:33:53 **earlier time, but I definitely remember reviewing them**
00:33:55 **in May -- approximately May 2014.**
00:33:58 Q. Would -- do you -- isn't it true that those
00:34:02 flight logs support Professor Dershowitz's testimony
00:34:07 that he was never on a plane with Virginia Roberts?
00:34:10 **A. No.**
00:34:12 Q. How do they not? What is -- what is the
00:34:14 explanation for your conclusion in that regard?
00:34:16 **A. Right. We talked about this yesterday, so**
00:34:20 **I'll incorporate to speed things up some of the**
00:34:22 **testimony that I gave yesterday.**
00:34:23 **What the flight logs showed was, to my mind,**
00:34:26 **evidence of potential doctoring, evidence of -- of**
00:34:30 **selective presentation of evidence. Mr. Dershowitz had**
00:34:34 **presented to a law enforcement agency, at their request,**
00:34:37 **apparently what I understood to be the -- the -- I**
00:34:40 **understood that he had been requested by a law**

00:34:42 **enforcement agency to provide flight logs relevant to**
00:34:46 **this investigation.**
00:34:47 **And rather than providing all the flight logs**
00:34:49 **that were available at that time, he appears to have**
00:34:52 **provided flight logs that went from January 2005 through**
00:34:57 **September 2005, knowing that he appeared on an**
00:35:01 **October -- I may be off by one month here -- but on an**
00:35:04 **October 2005 flight log.**
00:35:06 **So that, to my mind, had indicated that**
00:35:08 **Professor Dershowitz was providing selective information**
00:35:11 **to law enforcement. Those concerns -- this is, you**
00:35:15 **know, there's -- there's more to it.**
00:35:18 **The other problem was that the flight logs**
00:35:22 **that Mr. Dershowitz had produced were inconsistent with**
00:35:26 **the flight logs that Dave Rogers, one of Mr. Epstein's**
00:35:31 **pilots had, so there were now inconsistencies on these**
00:35:35 **flight logs. And it seemed to be -- it seemed to me to**
00:35:39 **be surprising that during the period of time where**
00:35:41 **Virginia Roberts was involved, Mr. Dershowitz was not**
00:35:45 **appearing on those flight logs.**
00:35:46 **Now, it is possible, I suppose, and that**
00:35:49 **seems to be Mr. Dershowitz's position, that the reason**
00:35:52 **he's not on those flight logs is that he was not on**
00:35:54 **those flights. But given all of the information -- and**
00:35:57 **I won't take your time this morning to go through -- all**

00:35:59 **the information I had about this international sex**
00:36:03 **trafficking organization, it seemed to me that it was**
00:36:05 **also possible that the sex trafficking organization,**
00:36:08 **which was represented by, you know, vast resources and**
00:36:12 **the ability to produce witnesses and documents and other**
00:36:15 **information that would -- would cover up the existence**
00:36:19 **of this organization, had gone through the flight logs**
00:36:22 **and had made necessary alterations to -- to conceal the**
00:36:26 **scope of -- of the -- of the operation.**
00:36:29 **In addition to that, when I started to**
00:36:33 **compare the Dave Rogers' flight logs with the David --**
00:36:38 **excuse me. I am going to get a drink.**
00:36:42 **When I started to compare the -- oh, I'm**
00:36:46 **sorry. I should be looking at the camera.**
00:36:48 **When I started -- when I started to compare**
00:36:49 **the Dave Rogers' flight logs with the Dershowitz --**
00:36:54 **which we call them the Dershowitz flight logs, which**
00:36:55 **were the logs that he had produced, there were**
00:36:58 **inconsistencies, and so it struck me as odd that there**
00:37:03 **were these inconsistent flight logs.**
00:37:03 **The other thing that I noticed is, I don't**
00:37:05 **believe that Dave Rogers was the exclusive pilot for**
00:37:08 **Mr. Epstein. And so I had a concern -- excuse me. I'm**
00:37:13 **sorry.**
00:37:13 **I had a concern that the flight logs that --**

00:37:16 **that covered the jet were not just the David Rogers'**
00:37:20 **flight logs, but there should be flight logs for other**
00:37:22 **pilots which were not apparently being produced.**
00:37:25 **And so, in light of all that, what I was**
00:37:27 **seeing was a -- a production of flight logs that was**
00:37:32 **incomplete. And then I started to hear from**
00:37:35 **Mr. Dershowitz that, well, these records prove**
00:37:37 **conclusively I couldn't have done that. And I knew to**
00:37:40 **an absolute certainty, that the records were**
00:37:42 **inconsistent and inaccurate; and for somebody who had**
00:37:45 **apparently carefully produced these records, to**
00:37:48 **represent that these conclusively prove that he wasn't**
00:37:52 **on the flights, seemed to me to be inaccurate**
00:37:54 **information.**
00:37:55 **So that was -- those were the kinds of things**
00:37:56 **I was thinking about.**
00:37:59 Q. Mr. Cassell, is it your testimony --
00:38:02 MR. SIMPSON: Well, first of all, I move to
00:38:03 strike the nonresponsive portion of the answer.
00:38:03 BY MR. SIMPSON:
00:38:07 Q. Mr. Cassell, is it your testimony that you
00:38:08 have sufficient information to conclude and allege that
00:38:12 Professor Dershowitz falsified documents and gave
00:38:16 falsified documents to a prosecuting authority?
00:38:19 **A. It is my belief that Professor Dershowitz**

00:38:22 **provided incomplete production to law enforcement**
00:38:25 **agencies.**
00:38:25 Q. Is it your testimony under oath that you have
00:38:28 sufficient information to allege that Professor
00:38:31 Dershowitz intentionally provided false information to a
00:38:37 prosecuting authority?
00:38:38 **A. It is my position that he provided incomplete**
00:38:42 **information to a prosecuting authority and inaccurate**
00:38:45 **information to a prosecuting authority.**
00:38:47 **Now, as to precisely what his state of mind**
00:38:49 **was when he was producing the incomplete and inaccurate**
00:38:52 **information, that remains to be this -- you know, that**
00:38:54 **was one of the topics that I was hoping could have been**
00:38:56 **covered in -- in the depositions here in the last two**
00:38:59 **days, but unfortunately, there wasn't sufficient time.**
00:39:03 Q. Let me ask it a different way. You -- you
00:39:05 gave a long answer in which you described reasons you
00:39:08 apparently believe that these flight logs were not
00:39:13 merely incomplete, but that someone had false --
00:39:16 falsified them. And did I understand you correctly?
00:39:20 MR. SCAROLA: Excuse me. The question that
00:39:22 was asked was limited to the time period prior to
00:39:26 December 30th. The answer that was given was
00:39:29 limited to the time period prior to December
00:39:31 30th.

00:39:32 Are you now asking for an expansion of that
00:39:35 response to include information that's been
00:39:38 gathered since December 30th?
00:39:40 MR. SIMPSON: I will take your objection to
00:39:43 the form.
00:39:44 Can we have the question back?
00:39:44 (Thereupon, a portion of the record was read
00:40:06 by the reporter.)
00:40:06 MR. SCAROLA: And I object. The question is
00:40:07 vague and ambiguous because it fails to identify
00:40:09 the time period about which you are inquiring.
00:40:09 BY MR. SIMPSON:
00:40:14 Q. Mr. Cassell, as you sit here today, are you
00:40:18 prepared, based on the information you have available to
00:40:21 you, to assert that Professor Dershowitz intentionally
00:40:28 provided misleading or doctored documents to a
00:40:34 prosecuting authority?
00:40:37 A. **So based on all the information I have today?**
00:40:39 Q. Yes.
00:40:40 A. **Yes.**
00:40:40 Q. What do you base -- what is the basis for
00:40:44 that conclusion, and include information up until today?
00:40:48 A. **All right. So, obviously, that's an**
00:40:51 **open-ended question.**
00:40:52 Q. I -- just answer the question, please, as

00:40:55 best you can.
00:40:55 A. **Sure. All right. Well, let me just --**
00:40:58 **that's a lot -- there's a lot of things to get into on**
00:41:00 **that.**
00:41:02 **Let's start with the events of the last two**
00:41:05 **days, the deposition of Mr. Dershowitz, which in my mind**
00:41:10 **demonstrates repeated false statements that were made by**
00:41:14 **Mr. Dershowitz.**
00:41:15 **Let's begin with the overarching point about**
00:41:18 **the deposition of the last two days. I've been**
00:41:20 **practicing law -- law since about 1986. And in my**
00:41:26 **experience, I have never seen a more evasive effort to**
00:41:30 **avoid answering questions, and to essentially run out**
00:41:34 **the clock so that detailed questions could not be asked**
00:41:38 **by my attorney. And I witnessed over the last two days,**
00:41:41 **Mr. Dershowitz was asked a series of very simple**
00:41:44 **questions; where were you on this day; or what's the**
00:41:46 **name; or what time, things like that, and instead of,**
00:41:49 **you know, giving an -- an immediate answer, he ended up**
00:41:53 **giving a very extended answer commonly punctuated with**
00:41:57 **disparaging remarks that seemed to have nothing to do**
00:42:00 **with answering the question.**
00:42:01 **So I drew the inference from that that**
00:42:03 **Mr. Dershowitz did not want to answer questions over the**
00:42:07 **last two days.**

00:42:08 **Another thing that happened during the**
00:42:10 **deposition, and I will not repeat what was said in the**
00:42:14 **deposition, because there was immediately an objection**
00:42:17 **from Ms. McCawley, but there were two points in the**
00:42:19 **deposition where Mr. Dershowitz made representations**
00:42:22 **about what a New York Attorney David Boies would say,**
00:42:25 **and I'm not going into any --**
00:42:27 Q. I -- I just want to say if he starts talking
00:42:30 about it --
00:42:31 MS. McCAWLEY: No, I -- I object to any
00:42:32 reference --
00:42:33 MR. SIMPSON: -- then I get to ask all the
00:42:34 questions if he should say anything.
00:42:34 MS. McCAWLEY: I think he's just
00:42:35 acknowledging that -- I'm sorry. I think he's
00:42:37 acknowledging that that occurred. I object to
00:42:39 any -- any discussion of any settlement
00:42:43 communications in the context of that privilege.
00:42:44 MR. SCAROLA: I don't intend to get into any
00:42:48 settlement discussions. We are not going to
00:42:50 repeat the substance of the objected-to
00:42:51 testimony.
00:42:51 MR. SIMPSON: My point, I just want it to be
00:42:54 on notice --
00:42:54 MS. McCAWLEY: Yes.

00:42:55 MR. SIMPSON: -- is if this witness starts
00:42:56 saying anything about his communications or why
00:43:00 he -- he's coming to a conclusion, he's putting
00:43:02 that forth as a basis, he has opened the door.
00:43:05 You can't put it forth and park and not let
00:43:07 me ask for all the discussions.
00:43:09 MR. SCAROLA: You can -- you can proceed and
00:43:10 you know not to include privileged --
00:43:10 THE WITNESS: Yes.
00:43:13 MR. SCAROLA: -- communications.
00:43:13 THE WITNESS: There was a newspaper that
00:43:15 reported -- a Florida business newspaper that
00:43:18 promptly after Mr. Dershowitz said that Mr. Boies
00:43:21 had made certain representations, a Florida --
00:43:24 respected Florida business newspaper immediately
00:43:27 reported that David Boies had said, that was a
00:43:29 false statement.
00:43:31 And in light of that, I now had David Boies
00:43:34 saying that Mr. Dershowitz was making false
00:43:37 statements under oath during the -- the
00:43:38 deposition that occurred over the last two days.
00:43:41 In addition to that, I had -- again, during
00:43:44 the deposition, I heard Mr. Dershowitz say that
00:43:48 Attorney Bob Josefsberg had said that -- words to
00:43:52 the effect that he, Josefsberg, did not believe

00:43:54 Virginia Roberts.
00:43:55 I knew Josefsberg was an attorney who had
00:44:00 represented Miss Roberts based on public
00:44:00 information, and I knew that that would be a
00:44:02 gross violation of Mr. Josefsberg's
00:44:04 attorney/client obligations. And as a result of
00:44:09 that, it seemed to me that, once again,
00:44:09 Mr. Dershowitz was giving false information under
00:44:12 oath in an effort to exculpate himself from the
00:44:17 sex trafficking that he had been involved with.
00:44:19 In addition to that, I learned during the
00:44:21 deposition on Thursday that it had, quote, not
00:44:26 crossed my mind, close quote -- I believe that's
00:44:29 a direct quote from Mr. Dershowitz -- to record a
00:44:31 conversation with a woman allegedly named Rebecca
00:44:34 who had allegedly made certain statements. That
00:44:37 was on Thursday.
00:44:38 And then yesterday, Friday, I learned that
00:44:40 Mr. Dershowitz, not only had it crossed his mind
00:44:43 to make a recording, he had, in fact, made such a
00:44:47 recording; and in fact, had it transcribed; and
00:44:50 in fact, turned it over to his attorneys. So,
00:44:53 once again, I had what appeared to be a false
00:44:56 statement under oath by Mr. Dershowitz in an
00:44:58 attempt to exculpate himself from the -- the sex

00:45:03 trafficking that we -- we have evidence he has
00:45:06 been involved with.
00:45:06 The false statements or certainly misleading
00:45:12 statements continue. I suppose, some of these
00:45:14 could be a matter of judgment. The -- they raise
00:45:18 grave concern to me.
00:45:18 One of them was that we had propounded an
00:45:20 interrogatory requesting the basis for
00:45:23 Mr. Dershowitz's statements that Virginia Roberts
00:45:26 had a criminal record. And he said that, well,
00:45:29 she's admitted that she had sex with various
00:45:32 people, so that renders her a criminal, and
00:45:34 something along those lines, which I didn't think
00:45:36 was very accurate.
00:45:38 But in any event, that was the answer he
00:45:39 gave. And then I learned during the deposition
00:45:42 in the last two days, that Mr. Dershowitz had
00:45:45 received information that he says shows that
00:45:46 Virginia Roberts had stolen money from a
00:45:50 restaurant and had been criminally charged with
00:45:51 that.
00:45:52 That was not produced to us during discovery,
00:45:54 even though it would have been obviously
00:45:56 relevant, and it was directly called for in the
00:45:59 discovery that we were provided with.

00:46:02 You know, I also have -- I would like to
00:46:05 refresh my recollection and if -- if counsel --
00:46:10 that's --
00:46:10 MR. SCAROLA: You can refresh your
00:46:12 recollection on anything you need to.
00:46:12 THE WITNESS: All right. I'd like to refresh
00:46:15 my recollection by looking at --
00:46:16 MR. SIMPSON: Actually, I -- I object to this
00:46:17 answer as nonresponsive. I haven't heard
00:46:20 anything about flight logs once.
00:46:21 MR. SCAROLA: You can continue.
00:46:23 THE WITNESS: These -- you know, these all go
00:46:27 to the statements.
00:46:27 BY MR. SIMPSON:
00:46:28 Q. You're looking at a document?
00:46:29 **A. Yeah. Let's mark it as an exhibit if you'd**
00:46:32 **like. This is a memory aid to me.**
00:46:34 Q. Did you prepare it?
00:46:35 **A. Yes, I did. All right. Let's see. At page**
00:46:42 **114 of a rough transcript that I saw prepared of**
00:46:46 **Thursday's testimony, Mr. Dershowitz was asked. Quote:**
00:46:50 **You know that Virginia Roberts is not the only person**
00:46:52 **who has sworn under oath that you were present at**
00:46:55 **Jeffrey Epstein's Palm Beach home with young girls,**
00:46:59 **right? Answer: No.**

00:47:02 **That seemed to me to be false or at the very**
00:47:05 **least misleading testimony given that Mr. Dershowitz**
00:47:07 **knew that Juan Alessi, among potentially other people,**
00:47:11 **had identified him as having been in the presence of**
00:47:14 **Jeffrey Epstein and young girls at the Florida mansion**
00:47:17 **and, indeed, had identified a photograph of Virginia**
00:47:20 **Roberts.**
00:47:21 **At page 164 of the transcript, Mr. Dershowitz**
00:47:25 **was asked, quote: All of the manifests that have been**
00:47:28 **produced in this litigation, the ones that you say**
00:47:31 **corroborate your testimony and exonerate you,**
00:47:34 **demonstrate that you never flew on Jeffrey Epstein's**
00:47:37 **plane in the company of your wife, correct? Answer:**
00:47:41 **No, that's not true. I don't know that.**
00:47:44 **And, again, in the context of this litigation**
00:47:46 **where the flight logs have been, as this question that**
00:47:48 **I'm answering tends to show, are so central for**
00:47:52 **Mr. Dershowitz to testify under oath that he didn't know**
00:47:56 **whether his wife was depicted on the flight log, struck**
00:47:59 **me as, at the very least, misleading information, but I**
00:48:02 **concluded in my opinion was actually deliberately false**
00:48:05 **information, particularly, given this litigation where**
00:48:08 **he has produced, not only his own personal travel**
00:48:11 **record, but all of his wife's travel records for the**
00:48:14 **relevant period of time.**

00:48:15 **So I thought that was, again, a deliberate**
00:48:19 **false statement under oath designed to exculpate him**
00:48:22 **from his criminal involvement in this international sex**
00:48:26 **trafficking ring.**
00:48:27 **At another point in the transcript, he was**
00:48:29 **asked, quote, -- no, I'm sorry. He stated, quote: I**
00:48:32 **challenge you to find any statement where I said I have**
00:48:35 **never traveled outside the presence of my wife, close**
00:48:38 **quote, representing that there would be no such**
00:48:42 **statement there, when, in fact, I'm aware of an American**
00:48:45 **Lawyer quotation attributed to him from January 15th,**
00:48:48 **2015, quote: I've been married to the same woman for 28**
00:48:52 **years. She goes with me everywhere, close quote. And,**
00:48:56 **again, you know, this -- I understand sometimes people**
00:48:59 **may go away from their wife, but the American Lawyer**
00:49:01 **was, obviously, on January 15th, 2015, asking about:**
00:49:05 **Well, have you been outside the presence of your wife in**
00:49:08 **situations where you might have interacted with Virginia**
00:49:10 **Roberts? And that was the answer that he gave to the**
00:49:12 **American Lawyer.**
00:49:13 **And based on -- on my review of the flight**
00:49:15 **logs, I thought that was, again, a deliberate effort to**
00:49:20 **obscure and try to exculpate himself from his**
00:49:23 **involvement in this International sex trafficking ring.**
00:49:26 **The -- he also said yesterday: Nobody knows**

00:49:33 **about Prince Andrew and Virginia, except for the two of**
00:49:36 **them. And, again, I thought that was at a minimum,**
00:49:39 **deliberately mis -- misleading information and more**
00:49:41 **likely deliberately false information, because**
00:49:43 **Mr. Dershowitz was aware of the photograph and had long**
00:49:47 **been aware of the photograph that shows Prince Andrew**
00:49:50 **with his arm around Virginia Roberts, standing next to a**
00:49:53 **beaming Glenn Maxwell who has been involved in this**
00:49:56 **international sex trafficking organization.**
00:49:59 **And in the circumstances of that photograph,**
00:50:01 **it seems quite likely that the photographer who took**
00:50:04 **that picture was the head of the international sex**
00:50:07 **trafficking ring, Jeffrey Epstein. And so for him to**
00:50:10 **say that only two people knew what went on was, again,**
00:50:14 **deliberately false information, because I know he is the**
00:50:17 **attorney for Jeffrey Epstein, and he could have asserted**
00:50:20 **attorney/client privilege over that, said, I can't get**
00:50:22 **into my communications with my client about what he was**
00:50:25 **doing with Prince Andrew.**
00:50:26 **But instead he said, no one knows what**
00:50:29 **happened, other than those two people in circumstances**
00:50:31 **where it was quite clear that there would have been**
00:50:34 **others who would have been aware of that.**
00:50:35 **Now, the question is: Why do I think the --**
00:50:39 **the -- you know, there are inaccuracies in the flight**

00:50:41 **logs. And I could refresh my recollection here by**
00:50:45 **looking at, I think it's docket entry 291 of our**
00:50:49 **pleading that we presented on January 21st to**
00:50:51 **Judge Marra where we provided specific itemized examples**
00:50:54 **of inconsistencies between the Dave Rogers' flight log**
00:50:58 **and the -- again, I'll call it, the Alan Dershowitz**
00:51:01 **flight log, which was a selected presentation of flight**
00:51:03 **log information.**
00:51:04 **And when you see those inconsistencies, it**
00:51:06 **becomes very hard to believe that all of the information**
00:51:09 **that was provided in those flight logs was accurate. So**
00:51:11 **when I take all of that information, put it together, I**
00:51:14 **believe that there's sufficient -- I have a sufficient**
00:51:17 **basis for believing at this point in time, that**
00:51:19 **Mr. Dershowitz has, indeed, provided inaccurate**
00:51:22 **information to -- to law enforcement agencies, or at a**
00:51:25 **minimum has provided -- has produced inaccurate**
00:51:29 **information through circumstances beyond his control.**
00:51:32 **But when he continually represents that the**
00:51:34 **information is accurate and exonerates him, I believe**
00:51:37 **that that is a deliberately false statement.**
00:51:41 MR. SIMPSON: Move to strike the answer --
00:51:42 the nonresponsive portion of the answer.
00:51:46 MR. SCAROLA: Which portion is that?
00:51:47 MR. SIMPSON: 99 percent of it. I think at

00:51:50 the end, we got to the flight logs.
00:51:52 I move to strike the nonresponsive portion.
00:51:54 BY MR. SIMPSON:
00:51:55 Q. Mr. Cassell, you came here today looking for
00:51:57 an opportunity to give that statement; did you not?
00:51:59 A. **If it was relevant to an answer I was giving,**
00:52:03 **yes.**
00:52:03 Q. The answer to my question is, yes, you came
00:52:05 here today looking for a question to which you could
00:52:08 respond with that prepared statement?
00:52:10 A. **I was prepared to give that -- I anticipated**
00:52:13 **that a very good attorney for Mr. Dershowitz might ask a**
00:52:15 **question where that would be relevant. And if that**
00:52:18 **question were asked and I was given the opportunity to**
00:52:20 **make that statement, I wanted to be prepared to give it**
00:52:23 **in the most accurate way that I could.**
00:52:25 MR. SIMPSON: I would like the reporter to
00:52:27 mark as Exhibit -- are we up to 4 -- Exhibit 4,
00:52:31 the document that Mr. Cassell was referring to.
00:52:34 I'll let the reporter do that.
00:52:36 THE WITNESS: Okay.
00:52:36 (Cassell's I.D. Exhibit No. 4 - document
00:52:36 produced by the witness was marked for identification.)
00:52:59 MR. SIMPSON: I just want to make that part
00:53:00 of the record.

00:53:00 BY MR. SIMPSON:
00:53:02 Q. Before Wednesday of this week, you had none
00:53:07 of the information that you just described about
00:53:10 Professor Dershowitz's testimony, correct?
00:53:12 **A. Correct.**
00:53:12 Q. I'm trying to look at my notes here of your
00:53:28 long answer, but one thing you indicated that -- was the
00:53:30 fact that Professor Dershowitz gave long answers is
00:53:34 somehow indicative of false answers or perjury --
00:53:34 MR. SCAROLA: That is --
00:53:34 BY MR. SIMPSON:
00:53:39 Q. -- is that right?
00:53:39 MR. SCAROLA: That is an absolute
00:53:40 mischaracterization of the statement that
00:53:43 Professor Cassell made. He did not refer to the
00:53:47 length of the answers, but rather their
00:53:47 nonresponsiveness.
00:53:47 BY MR. SIMPSON:
00:53:52 Q. Let me -- let me ask a different question.
00:53:55 Go back to the flight logs themselves.
00:53:57 **A. Okay.**
00:53:57 Q. My initial question that got us going down
00:54:01 this line was: Isn't it true that the flight logs
00:54:05 themselves support Professor Dershowitz's testimony that
00:54:13 he was never on a plane with Virginia Roberts, the face

00:54:17 of the flight logs support that proposition?
00:54:20 **A. The face of the flight logs for the relevant**
00:54:23 **period of time, we can call it the hot period of time or**
00:54:25 **whatever you want, did not reveal the presence of**
00:54:27 **Mr. Dershowitz on those flights, yes.**
00:54:29 Q. Okay. So during the period -- well,
00:54:32 actually, there's no flight log that shows Virginia
00:54:34 Roberts and Professor Dershowitz on the same airplane,
00:54:37 correct?
00:54:37 **A. That's my understanding, yes.**
00:54:39 Q. And --
00:54:39 MR. SCAROLA: By name. You're -- you're --
00:54:39 MS. McCAWLEY: And it --
00:54:41 MR. SCAROLA: -- asking whether she was there
00:54:43 identified by name?
00:54:45 BY MR. SIMPSON:
00:54:47 Q. To your knowledge, isn't it correct that
00:54:49 there is no flight log that's been produced in this case
00:54:51 by any party that reflects Professor Dershowitz and
00:54:55 Virginia Roberts on the same plane, as you read the
00:54:58 flight log?
00:54:59 MR. SCAROLA: I'm sorry. Are you asking
00:55:02 whether those same names appear on the flight log
00:55:06 together?
00:55:06 MR. SIMPSON: My question, I think, is

00:55:08 perfectly clear.
00:55:08 BY MR. SIMPSON:
00:55:08 Q. My question, Mr. Cassell, is: You reviewed
00:55:11 the flight logs, correct?
00:55:12 **A. Correct.**
00:55:12 Q. You reviewed them in some detail, correct?
00:55:14 **A. Correct.**
00:55:15 Q. Is there any entry on those flight lines --
00:55:17 logs that you read as putting Professor Dershowitz and
00:55:21 Miss Roberts on the same plane?
00:55:23 **A. No.**
00:55:24 Q. And so your testimony about questions about
00:55:26 the completeness and accuracy of those flight logs goes
00:55:33 to whether the logs are -- let me rephrase that.
00:55:39 The answer that you gave about your question
00:55:43 as -- your views as to the completeness of the flight
00:55:47 logs and whether they may have been changed in some
00:55:50 ways, goes to whether those logs are conclusive, not
00:55:54 whether they, in fact, support Professor Dershowitz's
00:55:58 testimony that he was not on a plane with Virginia
00:56:02 Roberts?
00:56:03 MR. SCAROLA: I'm going to object to the form
00:56:04 of the question as vague and ambiguous. I don't
00:56:08 understand it.
00:56:08 THE WITNESS: And I won't give a long answer,

00:56:08 but I -- I think, as I previously indicated, you
00:56:11 can't just look at the face of these documents
00:56:14 without -- with -- you know, against the context
00:56:17 of an international sex trafficking ring that's
00:56:19 trying to cover up what it's doing. You can't
00:56:21 just look and documents and assume that they are
00:56:22 100 percent accurate without that -- having that
00:56:24 context in mind.
00:56:25 BY MR. SIMPSON:
00:56:26 Q. And so am I right, that on the face of the
00:56:29 flight logs, there's nothing showing Virginia Roberts
00:56:32 and Professor Dershowitz on the same plane?
00:56:35 **A. That's correct.**
00:56:35 Q. And -- go on.
00:56:40 And so do I understand correctly that your
00:56:57 position is that the flight logs may not be complete or
00:57:06 may have been changed, but you do not dispute, that on
00:57:10 their face, they support Professor Dershowitz's
00:57:13 testimony?
00:57:14 MR. SCAROLA: Objection.
00:57:16 MS. McCAWLEY: Objection.
00:57:16 MR. SCAROLA: Compound.
00:57:16 THE WITNESS: Could you just aggregate that?
00:57:19 BY MR. SIMPSON:
00:57:20 Q. You follow the objections very well.

00:57:22 **A. I was thinking of that as well.**
00:57:22 BY MR. SIMPSON:
00:57:22 Q. Let me --
00:57:23 **A. I wasn't --**
00:57:23 Q. Let me --
00:57:25 **A. -- following their answer.**
00:57:25 Q. Let me -- let me just ask a different
00:57:27 question.
00:57:27 **A. Sure. Thanks.**
00:57:31 Q. You testified that you have -- at some
00:57:35 length, about why you question the accuracy of the
00:57:40 flight logs, correct?
00:57:43 **A. Correct.**
00:57:43 Q. But I may be redundant, but you don't
00:57:45 question that what they show on their face supports
00:57:48 Professor Dershowitz's testimony --
00:57:48 MS. McCAWLEY: Objection.
00:57:48 BY MR. SIMPSON:
00:57:50 Q. -- that he was not on a plane with Virginia
00:57:52 Roberts?
00:57:53 **A. The -- you know, the -- the sex trafficking**
00:57:56 **ring run by Jeffrey Epstein has produced Epstein flight**
00:57:59 **logs that appear to show that -- that Dershowitz and**
00:58:04 **Virginia Roberts are not on the plane, so...**
00:58:06 Q. So the answer to my question is, yes?

00:58:09 MR. SCAROLA: I'm sorry.
00:58:09 THE WITNESS: Which question now?
00:58:10 MR. SIMPSON: The question you just -- could
00:58:12 you read back my -- my question and the answer?
00:58:12 BY MR. SIMPSON:
00:58:31 Q. Let me ask it again.
00:58:31 **A. Okay.**
00:58:31 Q. That's fine.
00:58:33 **A. I mean, I thought I was --**
00:58:33 MR. SCAROLA: There's no question pending.
00:58:34 THE WITNESS: I'm sorry.
00:58:35 BY MR. SIMPSON:
00:58:35 Q. What were you about to say?
00:58:36 **A. I was about to say that the records that they**
00:58:39 **produced -- I'm -- I'm sorry...**
00:58:42 Q. The records -- the records that were
00:58:44 produced --
00:58:44 **A. On -- on their face, I cannot give you a**
00:58:47 **flight log that has Virginia Roberts and Alan Dershowitz**
00:58:50 **sitting next to each other, yes.**
00:58:51 Q. And you also -- you also testified a moment
00:58:54 ago that Professor Dershowitz in his testimony in the
00:58:57 last couple of days, had testified that Virginia Roberts
00:59:03 had been arrested for stealing cash; do you refer -- do
00:59:08 you recall that?

00:59:08 **A. I recall his testimony to that effect, yes.**
00:59:10 Q. And you testified that no support for that
00:59:14 had been produced in discovery; is that correct?
00:59:16 **A. That's my understanding, yes.**
00:59:17 Q. Isn't it true that in Mr. Alessi's
00:59:20 deposition, he describes that under oath and says that
00:59:23 it happened?
00:59:24 **A. I don't have a recollection of criminal**
00:59:27 **charges having been discussed in the Alessi deposition.**
00:59:31 Q. Is it -- well, let me -- let me ask you: Is
00:59:34 it your testimony that you understood that, in fact,
00:59:40 Miss Roberts had been accused of stealing money from her
00:59:44 employer?
00:59:47 MS. McCAWLEY: I'm going to object to the
00:59:48 extent it gets into any conversations that you
00:59:49 had with Virginia on any of these issues.
00:59:52 THE WITNESS: Yeah, I'm trying to -- if your
00:59:55 question is about the Alessi depo, I don't --
00:59:58 don't immediately recall him discussing --
01:00:01 discussing them.
01:00:03 BY MR. SIMPSON:
01:00:04 Q. If I represent to you that Mr. Alessi, in his
01:00:07 deposition, referred to a police report and an arrest of
01:00:11 Miss Roberts, do you have any reason to question that?
01:00:13 MR. SCAROLA: Could we -- could we pull out

01:00:14 the deposition? And if you have got a reference
01:00:16 in the deposition, let's take a look at it.
01:00:17 MR. SIMPSON: I'm just asking for his
01:00:18 recollection right now. The document will speak
01:00:20 for itself. But I want to --
01:00:21 MR. SCAROLA: Yes, it will.
01:00:21 MR. SIMPSON: He -- he made a very serious
01:00:23 accusation. I would like to get an answer to my
01:00:25 question. Does he recall whether, in that
01:00:27 deposition that all the parties in this case
01:00:29 have, Mr. Alessi said under oath, that she had
01:00:32 been arrested and charged with stealing from her
01:00:34 employer.
01:00:35 THE WITNESS: When you -- the question built
01:00:37 in a serious accusation, the -- the -- the -- the
01:00:39 statement I was making is that we had propounded
01:00:42 an interrogatory to Mr. Dershowitz saying:
01:00:44 What's the basis for your assertion that
01:00:46 Miss Roberts had a criminal record? And that
01:00:49 answer didn't refer to an Alessi depo. If it --
01:00:51 this is one of the problems that I'm having.
01:00:53 When -- when -- you know, when you come into
01:00:56 a deposition, both sides are supposed to turn
01:00:58 everything over. And then if I get a question
01:01:00 about, well, what if -- you know, we're relying

01:01:01 on this piece of the Alessi depo and it's not in
01:01:03 the answers to interrogatories, it's hard for me
01:01:05 to -- to give an answer to that. So -- so that's
01:01:07 the -- that's the concern I have.
01:01:10 MR. SIMPSON: I move -- I move to strike as
01:01:11 nonresponsive.
01:01:11 BY MR. SIMPSON:
01:01:12 Q. My question went to whether -- let me back
01:01:18 up. If -- if I'm -- unless I misunderstood you --
01:01:21 MR. SCAROLA: The question was: Did he
01:01:23 recall the contents --
01:01:23 MR. SIMPSON: I'm asking the question.
01:01:23 MR. SCAROLA: -- of the Alessi deposition.
01:01:24 MR. SIMPSON: I'm withdrawing it. I will ask
01:01:25 a new question.
01:01:26 MR. SCAROLA: Okay. Thank you.
01:01:26 BY MR. SIMPSON:
01:01:27 Q. I understood you in your -- the long answer
01:01:32 that you gave a while ago to suggest that Professor
01:01:36 Dershowitz had either testified falsely or failed to
01:01:41 provide relevant information on which he was basing his
01:01:44 testimony about Miss Roberts's arrest; is that right?
01:01:46 **A. Yes.**
01:01:46 Q. And that assertion would be incorrect if
01:01:50 there's a deposition in this case that all the parties

01:01:53 have that include that information?
01:01:55 MR. SCAROLA: Mr. Simpson, there was an
01:01:58 express reference to an answer to interrogatory,
01:02:01 and the absence of any reference to an arrest for
01:02:05 theft in your client's sworn answer to
01:02:09 interrogatory. That's --
01:02:09 MR. SIMPSON: We -- we --
01:02:11 MR. SCAROLA: -- exactly what the testimony
01:02:12 was.
01:02:12 MR. SIMPSON: If you object to the form,
01:02:13 please just object to the form. I think it's a
01:02:15 proper question --
01:02:17 MR. SCAROLA: I -- I object --
01:02:17 MR. SIMPSON: -- in our discovery response.
01:02:18 MR. SCAROLA: -- I object to your
01:02:19 misrepresentation of the earlier testimony. I'm
01:02:21 sure it was not intentional, and that's why I'm
01:02:25 calling it to your attention so that we don't go
01:02:27 down a rabbit trail.
01:02:30 MR. SIMPSON: I'm not going down any rabbit
01:02:32 trail. I'm really -- objection to the form will
01:02:34 preserve it.
01:02:34 BY MR. SIMPSON:
01:02:37 Q. My question is whether you were aware at the
01:02:44 time that Professor Dershowitz testified that, in fact,

01:02:48 Mr. Alessi had also testified previously about the
01:02:54 arrest of Miss Roberts for stealing from her employer?
01:02:57 **A. I didn't recall that. If that's in there,**
01:03:00 **you're -- you're making a representation, and I know**
01:03:01 **you're a fine lawyer, so I'll accept your**
01:03:04 **representation.**
01:03:05 **I didn't recall that when he was testifying**
01:03:06 **a -- a day or two ago on that subject.**
01:03:15 MR. SCAROLA: We have been going for about an
01:03:17 hour. Is it time to take a break? Is that
01:03:19 convenient for you?
01:03:19 MR. SIMPSON: We can take a break now.
01:03:21 THE VIDEOGRAPHER: We are going off the video
01:03:22 record, 9:35 a.m.
01:15:01 (Thereupon, a recess was taken.)
01:15:01 THE VIDEOGRAPHER: We are back on the video
01:15:28 record, 9:47 a.m.
01:15:30 THE WITNESS: I need to take two minutes, if
01:15:34 I may, and just supplement the long answer that I
01:15:34 gave about the series of things.
01:15:36 By looking over my checklist, I noticed that
01:15:38 item 5 of the 12 items was not given during my
01:15:42 testimony. I'm --
01:15:42 BY MR. SIMPSON:
01:15:44 Q. I don't -- I'm not going to ask about item 5.

01:15:45 It's in the record as part of your -- your -- your --
01:15:49 **A. I would like to just supplement --**
01:15:50 MR. SCAROLA: That's fine. That's fine. If
01:15:51 you don't want to hear it, that's okay.
01:15:51 THE WITNESS: I'd like --
01:15:53 MR. SCAROLA: Just as long as it's noted that
01:15:54 there was an inadvertent omission.
01:15:56 THE WITNESS: Yeah.
01:15:56 BY MR. SIMPSON:
01:15:58 Q. As part of -- I'm going to go back actually
01:16:02 to --
01:16:02 **A. Sure.**
01:16:02 Q. -- the questions I was asking. One question
01:16:06 about the -- the flight logs again.
01:16:08 **A. Okay.**
01:16:08 Q. It's true, is it not, that you have no
01:16:12 personal knowledge as to whether Professor Dershowitz or
01:16:15 some other member of Jeffrey Epstein's defense team
01:16:21 prepared those logs for production to the government?
01:16:23 **A. I don't have personal knowledge of -- of**
01:16:25 **that, that's right.**
01:16:26 Q. And you would agree, would you not, that it's
01:16:33 the duty of a defense counsel to represent a client
01:16:38 zealously within the bounds of the law, correct?
01:16:40 **A. Correct.**

01:16:41 Q. In fact, I think you testified yesterday
01:16:44 about your duty with respect to Miss Roberts along those
01:16:47 lines, correct?
01:16:48 **A. That's right.**
01:16:48 Q. And so with respect to Professor Dershowitz's
01:16:52 representation of Jeffrey Epstein, he would have been
01:16:57 acting unethically if he didn't attempt to negotiate the
01:17:00 best resolution for his client that he could, consistent
01:17:05 with the law; is that correct?
01:17:06 **A. Right. Consistent with the law, yes.**
01:17:09 Q. And so you wouldn't --
01:17:09 **A. I'm sorry. Let me just -- consistent with**
01:17:11 **the law and with the ethical obligations of attorneys.**
01:17:14 **Attorneys cannot make, for example, false**
01:17:16 **representations when they are negotiating those kinds of**
01:17:18 **things.**
01:17:18 Q. Right. The duty as a defense counsel,
01:17:22 Professor Dershowitz's duty was to attempt to obtain the
01:17:27 best resolution he could for Jeffrey Epstein consistent
01:17:31 with the law and legal ethics, correct?
01:17:34 **A. That's correct.**
01:17:34 Q. And, in fact, if he had not done that, he
01:17:39 would have been acting unethically, correct?
01:17:41 **A. That's correct.**
01:17:41 Q. And would you agree that it would be

01:17:46 inappropriate, totally inappropriate, to infer anything
01:17:55 negative about an attorney because the attorney
01:17:58 represented someone accused of heinous crimes?
01:18:01 **A. Just the fact of representation alone?**
01:18:04 Q. Yes.
01:18:04 **A. Yeah, that's right. Sure, of course,**
01:18:06 **everyone is entitled to a defense.**
01:18:08 Q. As -- before December 30th of 2014, had you
01:18:18 reviewed the Palm Beach Police report?
01:18:22 **A. Portions of it, yes.**
01:18:23 Q. Had you reviewed the entire report?
01:18:25 **A. I think I reviewed most of it, but I don't**
01:18:31 **think I've gone through it page by page.**
01:18:32 Q. When did you do that?
01:18:35 **A. Well, let's see. Before December 30th, 2014,**
01:18:41 **Brad and I filed the case in about July 2008, so it was**
01:18:49 **about a six-year period of time, and I remember I'd been**
01:18:56 **to Florida a couple of times on this case, once in 2010**
01:19:03 **and I think another a year or two later. And I**
01:19:07 **remember, at least on one of those times, reviewing the**
01:19:09 **report here with -- I don't know if I can...**
01:19:15 MS. McCAWLEY: Yeah. I wouldn't go into
01:19:15 anything.
01:19:15 THE WITNESS: To the -- right. So we just --
01:19:15 we just want to know --

01:19:19 MS. McCAWLEY: The location is fine.
01:19:20 THE WITNESS: The location, once
01:19:22 personally -- once here in Florida, and then in
01:19:25 my office in -- while in Salt Lake City.
01:19:25 BY MR. SIMPSON:
01:19:28 Q. And are you able to place in time when you
01:19:29 reviewed these portions of the police report, other than
01:19:35 before December 30th of 2014?
01:19:37 **A. Not precisely, no.**
01:19:40 Q. And do I understand correctly from your
01:19:42 testimony yesterday that that police report is one of
01:19:47 the things you relied on to support making the
01:19:51 allegations against Professor Dershowitz that are
01:19:54 included in the joinder motion?
01:19:56 **A. That's right.**
01:19:56 Q. It's also true, is it not, that that police
01:20:01 report includes an interview with an adult woman who was
01:20:07 retained to provide massages at Jeffrey Epstein's
01:20:11 residence for guests, among others; isn't that correct?
01:20:14 **A. I believe that's correct.**
01:20:16 Q. And based on that, is it your testimony that
01:20:20 it's fair to presume that a reference that a guest got a
01:20:24 massage is a code word for abusing a minor sexually?
01:20:31 MR. SCAROLA: I'm sorry. Are you -- are you
01:20:33 isolating --

01:20:33 MR. SIMPSON: I don't -- I don't want a
01:20:34 speech, Mr. Scarola. If you object to the form,
01:20:36 object to the form, and I -- if it's not a proper
01:20:38 question --
01:20:38 MR. SCAROLA: I want a clarification of the
01:20:39 question, please. Are you isolating only that
01:20:39 piece --
01:20:39 MR. SIMPSON: I -- the question --
01:20:41 MR. SCAROLA: -- of information?
01:20:42 MR. SIMPSON: I'm -- I am asking a question
01:20:45 that's perfectly clear. If you think it's
01:20:46 objectionable, it won't -- it will stand.
01:20:49 MR. SCAROLA: I'm going to object on the
01:20:50 basis that it is vague and ambiguous. It is
01:20:53 unclear whether you're asking for him --
01:20:55 MR. SIMPSON: Please don't coach the witness.
01:20:56 MR. SCAROLA: -- to isolate -- to isolate his
01:20:59 focus to that single piece of evidence.
01:20:59 MR. SIMPSON: I object on the coaching of the
01:21:01 witness.
01:21:01 BY MR. SIMPSON:
01:21:02 Q. My question is: Is it reasonable,
01:21:06 considering that the police report on its face shows
01:21:11 evidence -- let me back this up. Ask another question
01:21:16 to you.

01:21:16 Are you aware that the police report reflects
01:21:21 that the woman I referred to who was hired to give
01:21:24 massages, told them that she never touched anyone
01:21:28 inappropriately?
01:21:29 **A. I think that there are -- there is**
01:21:32 **information along those lines in the police report, yes.**
01:21:34 Q. Okay. And so do you acknowledge that the
01:21:37 police report, on its face, reflects both reports of
01:21:41 massages that involved improper sexual contact --
01:21:45 contact and massages that were perfectly legitimate?
01:21:50 **A. Yes, but not in the same proportion.**
01:21:54 Q. My question wasn't proportion. The -- the
01:21:57 report on its face, you understood, reflected that there
01:22:01 were massages given at Mr. Epstein's residence that were
01:22:06 perfectly legitimate?
01:22:08 **A. Some -- it was basically a few isolated**
01:22:13 **examples from what I could see.**
01:22:14 Q. So you would characterize what was said in
01:22:18 the police report as "a few isolated examples"?
01:22:21 **A. Well, given the backdrop that they had --**
01:22:25 Q. No. My question -- it's a yes or no
01:22:26 question. Is that how you would characterize it?
01:22:27 MR. SCAROLA: Excuse me. The witness is not
01:22:29 confined to answering yes or no, if yes or no
01:22:31 would be misleading.

01:22:33 BY MR. SIMPSON:
01:22:33 Q. It's a different position than was taken
01:22:35 previously, but --
01:22:36 **A. I mean, I was just going to give one**
01:22:38 **sentence, and the one sentence would be, in the context**
01:22:41 **of this whole police report where they had 24,**
01:22:44 **approximately, minor girls who were -- who were being**
01:22:47 **sexually abused, the references to legitimate massages I**
01:22:51 **would view as isolated.**
01:22:53 Q. So you're coming to the conclusion, looking
01:22:56 at the police report, that they are isolated; is that
01:22:59 right?
01:22:59 **A. Yes.**
01:23:01 Q. And do you think a fair-minded reader of the
01:23:04 police report would reach that conclusion?
01:23:05 **A. Absolutely.**
01:23:07 Q. And were you aware that the police report, to
01:23:12 give a bit more detail, reflected that a woman who was
01:23:14 described as having tattoos was hired to give
01:23:17 deep-tissue Swedish massages. Do you recall that being
01:23:20 in the -- in the police report?
01:23:22 **A. Something along those lines, yes.**
01:23:23 Q. And she also -- that woman also told the
01:23:26 police that she was not Jeffrey Epstein's type, that she
01:23:30 wasn't thin, had tattoos, didn't fit his type?

01:23:34 **A. That sounds accurate with the information I**
01:23:37 **have, yes, she doesn't sound like she would fit his**
01:23:40 **type.**
01:23:40 Q. And so do you agree with me then --
01:23:42 **A. And she's over the age of 18, which is**
01:23:44 **another reason why wouldn't fit his type, so...**
01:23:47 Q. But you acknowledge that -- that this
01:23:50 woman -- that the police report reflects a woman over --
01:23:54 well over the age of 18, being hired to give perfectly
01:23:57 legitimate massages, correct?
01:23:58 **A. Yeah. That was cover for the sex trafficking**
01:24:01 **that was going on.**
01:24:01 Q. Okay. So you're now -- does the police
01:24:04 report say "it was cover" --
01:24:04 **A. That was --**
01:24:05 Q. -- "for the sex trafficking"?
01:24:07 **A. That was my conclusion when I reviewed the**
01:24:09 **materials.**
01:24:09 Q. Okay. So your inclusion is that a
01:24:11 fair-minded reader of the police report would come to
01:24:14 that conclusion?
01:24:15 **A. December 30th of 2014, knowing what we know**
01:24:18 **now, yes.**
01:24:19 Q. Do you consider yourself a very suspicious
01:24:24 person?

01:24:25 **A. No.**
01:24:25 Q. Do you consider yourself a conspira -- having
01:24:31 a conspiratorial view?
01:24:31 **A. Absolutely not.**
01:24:34 Q. Do you consider yourself a crusader?
01:24:35 **A. Well, crusader for justice, I would say, yes.**
01:24:41 Q. If -- let me put it this way: In your view,
01:24:49 is evidence that a person, any person, any guest at
01:24:54 Mr. Epstein's house had a massage, evidence that that
01:25:01 person engaged in criminal sexual conduct, contact with
01:25:07 minors, because of the fact of having a massage?
01:25:13 **A. You'd have to look at the context.**
01:25:16 Q. On its own, is it any evidence -- doesn't
01:25:19 it -- is it any evidence at all, in your view?
01:25:21 **A. It would be some evidence, yes.**
01:25:22 Q. Notwithstanding that the report, on its face,
01:25:26 reflects both legitimate and illegitimate massages?
01:25:30 **A. The report on its face, let's be clear,**
01:25:32 **reflects a lot of illegitimate sag -- massages and a**
01:25:36 **sporadic or isolated, you know, legitimate massages. So**
01:25:38 **the fact that somebody gets a massage in that context,**
01:25:42 **I -- I think is -- is -- raises, you know, the concerns**
01:25:45 **we have been talking about.**
01:25:47 Q. Did you, before December 30th of 2014,
01:26:03 yourself personally, review what I think you referred to

01:26:07 in your testimony yesterday as the holy grail, an
01:26:12 address book of Mr. Epstein?
01:26:17 **A. Pieces of it, yes.**
01:26:18 Q. Did you review the entire document?
01:26:21 **A. No.**
01:26:21 Q. Did I understand yesterday that you
01:26:25 testified -- did I understand correctly yesterday, that
01:26:28 you testified that the fact that names were circled
01:26:33 indicated that those persons likely engaged in illegal
01:26:39 sexual contact with minors?
01:26:41 **A. My -- my impression is the names that were**
01:26:44 **circled were circled by Alfredo Rodriguez when he was**
01:26:47 **busted by the FBI for involvement, and he was asked to**
01:26:51 **identify those who would have information about the sex**
01:26:54 **trafficking organization. And my -- based on all the**
01:26:58 **evidence I have, I believe the names that were circled**
01:27:00 **were those who would have that kind of information.**
01:27:02 Q. So is it your testimony that if the name is
01:27:05 circled, it indicates that they have information, or
01:27:08 that they are criminals?
01:27:09 **A. That they would have information about the**
01:27:12 **sex trafficking organization, and that would probably**
01:27:15 **mean that they were part of the organization. It may**
01:27:18 **mean that they were witnesses to what the organization**
01:27:19 **was doing.**

01:27:20 **But they would have information that the FBI,**
01:27:24 **among other law enforcement agencies, should be**
01:27:26 **following up on, if they are trying to piece together**
01:27:28 **what the sex trafficking organization was doing.**
01:27:32 Q. Would you agree that a fair-minded person,
01:27:37 with that background that you just described, would not
01:27:41 go to the conclusion that the fact that a name is
01:27:44 circled indicates that that person has engaged in
01:27:46 criminal conduct?
01:27:48 **A. They -- what it would indicate is that they**
01:27:51 **had information relevant to criminal activity. Now,**
01:27:54 **would they on the -- just the fact that a name was**
01:27:55 **circled, standing alone, reach that conclusion?**
01:27:59 **Well, that's a hypothetical question because**
01:28:01 **obviously in this case, there's lots of other**
01:28:02 **information.**
01:28:02 Q. Did you understand -- it is true, is it not,
01:28:06 that Mr. Rodriguez was trying to sell that book?
01:28:09 **A. That's true.**
01:28:10 Q. And is it not also true that the people who
01:28:13 are circled are famous people?
01:28:15 **A. I'd have to refresh my recollection as to**
01:28:22 **exactly who was circled, but I know that some famous**
01:28:25 **people were circled and some famous people were not**
01:28:29 **circled.**

01:28:29 Q. Would it be a reasonable inference, or a
01:28:36 possible reasonable inference to draw, that
01:28:39 Mr. Rodriguez was trying to highlight people who would
01:28:42 be of interest to the Press for purposes of selling the
01:28:45 book?
01:28:46 **A. No, because he was not talking to the Press.**
01:28:49 **He was talking to an FBI agent who had busted him for**
01:28:52 **criminal activity. And so I was assuming that what he**
01:28:54 **was trying to do, as many criminals do when they are**
01:28:58 **apprehended, was give information to law enforcement**
01:29:01 **agency that would be helpful so that they can catch**
01:29:03 **other "bigger fishes" is the phrase that's sometimes**
01:29:06 **used, so that the little fish would -- would get off or**
01:29:09 **get a cooperation deal from the law enforcement agency.**
01:29:12 **He was talking -- let's be clear. He was**
01:29:14 **talking to somebody he understood was an FBI agent at**
01:29:17 **the time, and so that was the context of the**
01:29:18 **conversation.**
01:29:19 Q. Do you have any personal knowledge that it's
01:29:22 in the context of talking to the FBI that Mr. Rodriguez
01:29:25 circled those names?
01:29:26 **A. I have reviewed -- I know I could refresh my**
01:29:30 **recollection here, but there's an FBI 302, a report of**
01:29:33 **interview of the circumstances surrounding**
01:29:35 **Mr. Rodriguez's arrest, and I believe I reviewed that**

01:29:38 **302.**
01:29:39 Q. Do you know whether the FBI, at any point,
01:29:47 contacted Professor Dershowitz to discuss any evidence
01:29:53 he might have after his name was circled on this
01:29:56 document?
01:29:57 **A. I don't have personal knowledge of what the**
01:29:58 **FBI did to follow up after that.**
01:30:01 Q. Okay. One of the names that's circled in the
01:30:05 book is Courtney Love. Do you know who she is?
01:30:08 **A. Not off the top of my head, no.**
01:30:12 Q. If I mention to you or if I represent that
01:30:16 she's a famous actress, any reason to question that?
01:30:19 **A. No.**
01:30:21 Q. In your view, was Courtney Love involved in
01:30:25 sex trafficking?
01:30:26 **A. I don't know.**
01:30:27 Q. In your view, was Courtney Love a witness to
01:30:32 sex trafficking?
01:30:33 **A. If -- is there a way -- are you representing**
01:30:36 **her name is circled?**
01:30:38 Q. Her name is circled on the book. In fact, we
01:30:40 can show it --
01:30:40 **A. Okay. Yeah.**
01:30:40 Q. It is circled on the book.
01:30:42 **A. Okay. Sure. Yeah, I mean, my -- my**

01:30:44 **understanding would be that if her -- and this is --**
01:30:46 **could I ask a question about the circling -- or your**
01:30:49 **representation?**
01:30:50 **Is the circling the same type of circling**
01:30:52 **that is done for Mr. Dershowitz, for example? Is it the**
01:30:56 **same, you know, handwriting, same ink, same -- same**
01:30:59 **appearance? You know, if it's consistent with the**
01:31:02 **circling -- are you representing it's consistent with**
01:31:04 **the circling?**
01:31:07 Q. Mr. Cassell, we have a document produced in
01:31:09 discovery that has various names circled. Looking at
01:31:14 the document, I don't see any difference among the
01:31:17 circles. Are you aware of any document --
01:31:20 MR. SCAROLA: Could we have a look -- could
01:31:21 we see the document?
01:31:25 MR. SIMPSON: Take a -- go off the record for
01:31:28 one moment.
01:31:28 THE WITNESS: We are going off the video
01:31:30 record, 10:03.
01:36:22 (Thereupon, a recess was taken.)
01:36:22 THE VIDEOGRAPHER: We are back on the video
01:36:24 record, 10:08 a.m.
01:36:30 MR. SIMPSON: Okay. Back on the record. I'm
01:36:31 going to ask the reporter to mark as Cassell
01:36:36 Exhibit 5, a multi-page document. It's a copy of

01:36:44 the address book we have been speaking about, and
01:36:49 ask that Doc -- Mr. Cassell to take a look at
01:36:51 this, and I'm going to ask him about certain of
01:36:55 the entries.
01:37:03 (Cassell's I.D. Exhibit No. 5 - copy of
01:37:03 address book was marked for identification.)
01:37:03 MR. SIMPSON: And I will note, I put a few
01:37:03 flags on here --
01:37:03 THE WITNESS: Sure.
01:37:06 MR. SIMPSON: -- to direct your attention --
01:37:06 THE WITNESS: Correct, yeah.
01:37:09 MR. SIMPSON: -- which we can -- I'll note
01:37:10 the pages for the record just so we have them.
01:37:16 38, 76, and 85.
01:37:24 THE WITNESS: Okay. I just -- I just want to
01:37:25 take two minutes or so --
01:37:25 BY MR. SIMPSON:
01:37:27 Q. Yeah. Take -- take a moment to look at it.
01:37:29 **A. Okay. I want to make a few notes, if that's**
01:38:07 **all right, just to get them in --**
01:38:07 Q. You're going to mark on the --
01:38:09 **A. No, not on the exhibit. I'm just going to**
01:38:11 **make notes to refresh my recollection so we don't have**
01:38:13 **to take time. I'm just -- I'm just making notes of the**
01:38:15 **context here. This will just take another minute is**

01:38:22 **all.**
01:38:23 Q. Take as long as you want to look at the
01:38:26 document.
01:38:27 **A. Super. Thank you.**
01:38:51 **Okay. Yeah. I think I'm -- I'm oriented**
01:38:54 **now. But I haven't looked at the Love entry.**
01:38:54 Q. My -- my first --
01:38:57 **A. I want to look at the Love --**
01:38:57 Q. -- question is: Is this a copy of the
01:39:02 address book that you referred to in your testimony?
01:39:05 **A. Yes.**
01:39:05 Q. Okay. And if you would take a look at the --
01:39:08 I've marked the entries for Courtney Love. Take a look
01:39:13 at that one.
01:39:13 **A. All right. I see it.**
01:39:14 Q. Okay. And then if you look at the last
01:39:16 entry, there's an entry for Professor Dershowitz that's
01:39:21 also circled. It should be on the flag. It's
01:39:26 two-sided.
01:39:28 **A. Oh, yeah.**
01:39:29 Q. Do you see that one?
01:39:30 **A. I see it.**
01:39:31 Q. And then also the other one I marked is
01:39:32 Donald Trump.
01:39:38 **A. Yes. Got it. I see those entries circled.**

01:39:47 Q. So am I right -- I'm right, am I not, that
01:39:50 among the others circled are: Courtney Love, Donald
01:39:54 Trump, and Alan Dershowitz, correct?
01:39:55 **A. Correct, among the others, yes.**
01:39:57 Q. And they are all circled in the same way; are
01:40:00 they not?
01:40:00 **A. Yeah. It's kind of a -- a box is what I**
01:40:04 **would say. Some, yes.**
01:40:06 Q. Is there anything on the face of that
01:40:08 document that leads you to conclude that the circling --
01:40:13 the significance of the circling is any different for
01:40:16 one person than another?
01:40:17 **A. No.**
01:40:18 Q. So based on the document, do you infer that
01:40:23 Courtney Love was involved in some kind of sexual abuse
01:40:30 of minors?
01:40:30 **A. I would infer that if I were running a**
01:40:35 **criminal investigation through the FBI and I'm trying to**
01:40:37 **find people who would have relevant information, she**
01:40:40 **would be one of the people I'd want to talk to. I mean,**
01:40:43 **the names that are circled here, Glenn Maxwell, one of**
01:40:45 **the identified traffickers, Epstein is circled, the**
01:40:48 **pilot -- one of the pilots is circled. So it's these**
01:40:51 **people that all seemed to be connected are -- are all**
01:40:55 **being marked here, and -- and the number of people that**

01:40:57 **are circled is, I would say, you know, 5 to 10 percent**
01:41:00 **of the -- of the names ball-parking in the dark.**
01:41:03 Q. Do you know whether this address book was
01:41:07 Jeffrey Epstein's address book or Glenn Maxwell's
01:41:11 address book?
01:41:12 **A. I'm not certain exactly whose book it is. I**
01:41:16 **actually thought it was Alfredo Rodriguez maintaining a**
01:41:19 **copy of records in case he was worried that Epstein**
01:41:22 **might try to have him killed at some point, and so this**
01:41:25 **was his insurance policy, I think he said, against that**
01:41:28 **happening.**
01:41:29 MR. SIMPSON: Object to the nonresponsive
01:41:31 portion of the answer.
01:41:31 BY MR. SIMPSON:
01:41:32 Q. Is the answer to my question: You don't know
01:41:34 whether it was Jeffrey Epstein's or Glenn Maxwell's
01:41:38 address book?
01:41:39 **A. I don't know. And the reason I don't know**
01:41:41 **that is because I actually believe it is neither --**
01:41:44 **neither of their -- that's -- is it one or the other?**
01:41:46 **Actually, I think it's a third possibility. I think**
01:41:48 **this was Alfredo Rodriguez's insurance policy against**
01:41:51 **getting knocked off by Jeffrey Epstein.**
01:41:55 Q. So that's the view you have of the
01:42:04 significance of this document?

01:42:06 **A. Yes. In part. I mean, there are other**
01:42:08 **reasons it's significant, as we have been talking about,**
01:42:10 **names are circled who appear to have relevant**
01:42:13 **information on Jeffrey Epstein's criminal activities.**
01:42:17 Q. Donald Trump was a friend of Jeffrey Epstein;
01:42:22 is that not correct?
01:42:23 **A. I really don't -- my understanding is, yes,**
01:42:26 **but I -- I don't have a lot of information about Trump.**
01:42:29 Q. It's true also, is it not, that Mr. Trump was
01:42:34 a frequent visitor to Mr. Epstein's residence?
01:42:38 **A. I -- I know that he visited frequent. I -- I**
01:42:41 **don't have a lot of information about Trump.**
01:42:43 Q. And his name is circled in this book; is it
01:42:47 not?
01:42:47 **A. I believe it is.**
01:42:48 Q. Based on him -- assuming he's a frequent
01:42:52 visitor to Mr. Epstein's home, and that he's a friend of
01:43:00 Mr. Epstein's, and that his name is circled in this
01:43:03 book, do you infer that he was engaged in criminal
01:43:09 sexual abuse of minors?
01:43:11 MS. McCAWLEY: I'm going to object to the
01:43:13 extent that your answer would reveal anything
01:43:16 that my client has told you.
01:43:16 THE WITNESS: No.
01:43:17

01:43:17 BY MR. SIMPSON:
01:43:17 Q. But based on your testimony previously, you
01:43:20 would consider all of those facts to be evidence that he
01:43:26 may have been?
01:43:28 **A. They are, you know, certainly things that I**
01:43:31 **would want to follow up on.**
01:43:32 Q. And --
01:43:34 **A. If I were running an -- we were in the**
01:43:36 **context, I take it, of your question, you know, if**
01:43:38 **somebody is running an investigation into the**
01:43:42 **organization, so...**
01:43:43 Q. Did you, in the course of your representation
01:43:47 of Miss Roberts or any of the other Jane Doe clients you
01:43:56 have had who have had claims against Mr. Epstein, make
01:43:58 any effort to find out whether Mr. Trump had abused any
01:44:02 of them?
01:44:04 MR. EDWARDS: I would just object to this
01:44:09 being work-product privilege as it relates to
01:44:10 other cases that I'm working on with Paul that
01:44:12 Jack is not involved in.
01:44:12 MR. SIMPSON: Okay.
01:44:15 MR. EDWARDS: With respect to what we did
01:44:16 during our investigation on behalf of other
01:44:18 clients.
01:44:19 MR. SIMPSON: Okay.

01:44:20 MS. McCAWLEY: Right. And I object on that
01:44:20 to the extent that it reveals anything you did on
01:44:23 behalf of Virginia Roberts.
01:44:23 MR. EDWARDS: I don't think Jack would know
01:44:26 to object to this, but because I know of another
01:44:28 case that we work on, that's protected by our
01:44:30 work-product privilege, who I talked to and who I
01:44:32 did not.
01:44:32 THE WITNESS: I'd like to --
01:44:32 MR. SCAROLA: In that case, I instruct you
01:44:34 not to answer.
01:44:34 THE WITNESS: All right.
01:44:37 MR. SIMPSON: All right. You're here,
01:44:39 Mr. Edwards, as a client, not an attorney,
01:44:41 correct?
01:44:42 MR. EDWARDS: Yes. That's my primary role in
01:44:44 being here, but I'm going to protect the
01:44:46 privilege to the extent that it's not being
01:44:47 protected by others who don't recognize that the
01:44:50 privilege needs to be protected on other matters.
01:44:52 MR. SIMPSON: Okay.
01:44:53 BY MR. SIMPSON:
01:44:58 Q. Mr. Cassell, as of December 30th of 2014,
01:45:03 were you aware that Professor Dershowitz had visited
01:45:09 Mr. Epstein's home and stayed as a guest for a week in

01:45:14 the company of his grandchildren, among other family
01:45:18 members?
01:45:19 **A. I'm sorry. Which residence? Which Epstein**
01:45:23 **residence?**
01:45:23 Q. Palm Beach.
01:45:25 **A. Can you -- can you restate?**
01:45:25 Q. Yes.
01:45:27 **A. I mean that's kind of a compound question. I**
01:45:30 **mean...**
01:45:30 Q. Well, let me rephrase it. I will be clear.
01:45:31 **A. Yeah.**
01:45:32 Q. Were you aware as of December 30th of 2014 --
01:45:36 let me back up a moment.
01:45:37 **A. Sure.**
01:45:37 Q. You indicated yesterday that part of the
01:45:40 basis for your conclusion that this pleading -- it was
01:45:44 appropriate to file this pleading accusing Professor
01:45:49 Dershowitz of misconduct was that he was a guest at the
01:45:53 Palm Beach house, correct?
01:45:55 **A. No. It was more than that. He was a**
01:45:57 **frequent guest, a frequent overnight guest.**
01:46:01 Q. My question is: As of December 30th, 2014,
01:46:06 were you aware that Professor Dershowitz had spent a
01:46:10 week at the Palm Beach house with family members,
01:46:13 including his grandchildren?

01:46:15 **A. No.**
01:46:15 Q. Okay. Do you think it's reasonable -- would
01:46:20 it be reasonable to believe that someone who is
01:46:23 committing criminal sexual abuse of minors at a home
01:46:28 where such abuse, as you understand it, is a daily
01:46:33 occurrence would bring his grandchildren to stay for a
01:46:35 week?
01:46:35 **A. It would depend on the circumstances. I**
01:46:37 **mean, you know, so -- you know, it would depend on the**
01:46:40 **circumstances.**
01:46:40 MR. SCAROLA: Are you representing that
01:46:41 Jeffrey Epstein was there at the time?
01:46:42 MR. SIMPSON: I'm not answering questions.
01:46:44 I'm asking questions.
01:46:45 MR. SCAROLA: Oh, okay.
01:46:45 BY MR. SIMPSON:
01:46:47 Q. So, in your view, you can -- let me -- let me
01:46:50 rephrase that.
01:46:52 You say it would depend on the
01:46:54 circumstances --
01:46:54 **A. Sure. Sure.**
01:46:54 Q. -- that's your answer?
01:46:55 **A. Yes.**
01:46:56 Q. Okay. So that you don't find it incongruous
01:47:00 that someone who knows that a particular home is the

01:47:08 scene of ongoing criminal abuse of minors, and who
01:47:12 himself, has engaged in that criminal abuse, would bring
01:47:16 his grandchildren to stay there for a week?
01:47:18 **A. It would depend on the circumstances.**
01:47:21 Q. When you say that Professor Dershowitz was a
01:47:33 regular guest at the mansion, at the Palm Beach house,
01:47:41 it's correct, is it not, that you're referring to a
01:47:43 period after Virginia Roberts had left for Thailand?
01:47:47 **A. No.**
01:47:49 Q. Are you aware of any evidence -- let me back
01:47:55 that up.
01:47:57 Are -- during the period that Virginia
01:47:59 Roberts contends she was sexually abused, which I
01:48:02 understand to be middle of 1999 to middle of 2002 -- is
01:48:09 that consistent with your understanding?
01:48:10 **A. Approximately, yes.**
01:48:12 Q. -- how many times did Professor Dershowitz
01:48:14 visit the Palm Beach mansion during that period?
01:48:17 **A. My understanding is in the neighborhood of --**
01:48:21 **what was it? Three to five times a year, staying two to**
01:48:25 **three nights at a time.**
01:48:26 Q. And was that your understanding as of
01:48:29 December 30th of 2014?
01:48:32 **A. Yes.**
01:48:32 Q. What was the basis for your understanding,

01:48:38 what pieces, what documents, or testimony?
01:48:41 **A. Right. The information, you know, I gave a**
01:48:44 **long presentation yesterday. So it was that**
01:48:46 **information.**
01:48:48 Q. I want to focus now specifically -- I'm not
01:48:50 looking for a full answer on your entire views --
01:48:50 **A. Yeah, right.**
01:48:53 Q. -- on the case.
01:48:53 **A. I appreciate that.**
01:48:54 Q. I just want to say, you've testified that you
01:48:57 understood as of December 30th, 2014, that Professor
01:49:03 Dershowitz had -- was a visitor at the Palm Beach
01:49:04 mansion three to five times during this relevant period
01:49:09 of 1999 to -- middle of 1999 to the middle of 2002.
01:49:14 What was the basis on December 30th of 2014, for just
01:49:20 that fact?
01:49:21 **A. Right. I mean, I will take about a minute**
01:49:23 **here because there are a few things I want --**
01:49:25 Q. Okay. And I want to make sure my question is
01:49:28 clear.
01:49:28 **A. Sure.**
01:49:29 Q. I'm not asking you about any of your
01:49:30 inferences about anything else. Just, what's the basis
01:49:34 for your belief that he visited three to five times
01:49:38 during that two-year period?

01:49:39 MR. SCAROLA: Could I ask for a
01:49:40 clarification? Are you looking only for direct
01:49:42 evidence and you want to exclude the
01:49:44 circumstantial evidence? Is that the way you
01:49:46 want to --
01:49:46 MR. SIMPSON: I'm asking. You can object to
01:49:48 the form.
01:49:48 BY MR. SIMPSON:
01:49:48 Q. My question is: What was -- what were you --
01:49:51 what did you have in mind as supporting your conclusion
01:49:57 or belief that he -- that Professor Dershowitz visited
01:50:02 three to five times during that relevant period?
01:50:04 MS. McCAWLEY: And I'm sorry. Can I just
01:50:06 place an objection on the record. I'm going to
01:50:07 object to the extent that -- so that you do not
01:50:10 reveal attorney/client privileged communication,
01:50:12 unless it's something that's already public that
01:50:15 she's revealed.
01:50:15 THE WITNESS: Okay. Right. So I'm going to
01:50:17 just exclude -- I take it your question isn't
01:50:19 asking about any communications.
01:50:19 BY MR. SIMPSON:
01:50:22 Q. My question is asking about that, but I
01:50:24 understand you're going to refuse to provide it.
01:50:25 MS. McCAWLEY: Unless it's already public.

01:50:28 THE WITNESS: Okay. So as of December 30th,
01:50:30 I'm going to exclude any communications from
01:50:33 Virginia Roberts from --
01:50:34 MR. SCAROLA: Except to extent that they have
01:50:37 already been made public. That is, if she has
01:50:39 given express permission to make disclosures,
01:50:43 these were not confidential communications, but
01:50:46 communications intended to be communicated to
01:50:48 third parties, then you are permitted to include
01:50:52 information from Virginia Roberts in your
01:50:54 response to that extent. And I -- go ahead.
01:51:00 THE WITNESS: Okay.
01:51:00 BY MR. SIMPSON:
01:51:00 Q. As of December --
01:51:01 A. **Right.**
01:51:03 Q. -- 30th, 2014 --
01:51:06 A. **Right.**
01:51:06 Q. -- correct? So --
01:51:06 A. **Yeah, that's right.**
01:51:07 Q. -- any -- any public statements by her after
01:51:10 December 30th, 2014 would not be included in the answer.
01:51:14 A. **Okay.**
01:51:14 MS. McCAWLEY: But let me be clear. Let me
01:51:16 be clear about my objection. To the extent that
01:51:18 she revealed something to you in a nonprivileged

01:51:23 context, in other words, information that was
01:51:25 going to be disclosed, not for advice, but
01:51:26 factual information that she intended to
01:51:28 disclose, that's no -- that's not privileged.
01:51:30 But if it's something that she communicated to
01:51:32 you in confidence with respect to getting legal
01:51:36 advice, then that would be privileged.
01:51:39 THE WITNESS: Right. Okay. So Juan Alessi's
01:51:45 deposition, Alfredo Rodriguez's deposition, and
01:51:49 then considerable circumstantial evidence which
01:51:52 we don't have to rehash here involving the close
01:51:55 personal association between Epstein and
01:52:00 Dershowitz.
01:52:00 I mean, again, we can rehash all of that, but
01:52:03 those were -- those are -- that's kind of a
01:52:04 quick -- because I know you want to get to a lot
01:52:06 of questions -- that's a quick sort of highlight
01:52:09 film, if you will.
01:52:09 BY MR. SIMPSON:
01:52:11 Q. Mr. Cassell, isn't it true that Mr. Rodriguez
01:52:14 was not hired until several years after the Summer --
01:52:19 A. **2004.**
01:52:20 Q. Let me ask it again.
01:52:21 -- until well after 2002?
01:52:22 A. **Yeah, about 2004.**

01:52:23 Q. And Mr. Rodriguez would have no personal
01:52:28 knowledge of how often Professor Dershowitz visited
01:52:31 during a period two years or three years before he was
01:52:34 hired; isn't that true?
01:52:35 A. **So, look, this is -- this is why I was trying**
01:52:37 **to speed up the answer to the question. We have a sex**
01:52:41 **trafficking organization that is running a common scheme**
01:52:43 **and plan that is continuing on until it was interrupted**
01:52:45 **by law enforcement about 2005 and 2006.**
01:52:49 **So what the -- the criminal organization is**
01:52:51 **doing in 2004, unless I have some significant evidence**
01:52:54 **that it's different than what was going on in 2002,**
01:52:58 **2001, 2000, 1999, I think it's reasonable to conclude**
01:53:01 **that the same sort of criminal activities are going on**
01:53:03 **later.**
01:53:04 **So if -- if you want -- if you want me to get**
01:53:07 **into the -- the full scope of the criminal organization,**
01:53:09 **we can get into it. But the fact that somebody in 2004**
01:53:13 **sees this going on, leads me to conclude that it's**
01:53:16 **probably the same thing going on in the absence of other**
01:53:19 **information in 2001.**
01:53:21 Q. So from Mr. Rodriguez's testimony about what
01:53:28 was going on, so to speak -- and my question related,
01:53:32 what was going on the number of times that Professor
01:53:35 Dershowitz visited. That's the topic.

01:53:37 A. **Right.**
01:53:37 Q. That because he visited, according to
01:53:40 Mr. Rodriguez, several times a year in 2004, 2005, he
01:53:45 must have visited several times a year in 2000 -- 19- --
01:53:52 middle of 1999 to the middle of 2002.
01:53:55 A. **I didn't say must have. I said that that's**
01:53:57 **going to be evidence of the common scheme and plan, and**
01:53:59 **then, in the absence of, you know, some falling out**
01:54:02 **between people or somebody becoming, you know, more**
01:54:05 **associated or less associated with a criminal**
01:54:07 **organization. I mean, if you want to get into the**
01:54:09 **circumstantial evidence, in 2003, there's an article on**
01:54:13 **which, you know, Dershowitz identifies himself --**
01:54:15 Q. Let me interrupt you because I'm asking --
01:54:15 A. **Okay.**
01:54:18 Q. -- about -- my only question is evidence of
01:54:18 how -- not anything, whether engaged in conduct or
01:54:23 didn't engage in conduct, just how many times he came
01:54:26 during this period.
01:54:26 A. **Right.**
01:54:26 MR. SCAROLA: Excuse me, counsel. That's the
01:54:28 reason why I asked you to clarify whether you
01:54:30 want to limit this to direct evidence or whether
01:54:33 you want all of the evidence including
01:54:35 circumstantial evidence, because as we both know,

01:54:39 circumstantial evidence is good evidence. A
01:54:42 well-connected chain of circumstance can be --
01:54:45 MR. SIMPSON: We really don't need a speech.
01:54:47 MR. SCAROLA: -- a well-connected --
01:54:47 MR. SIMPSON: We really don't --
01:54:48 MR. SCAROLA: -- chain of circumstance may be
01:54:49 as compelling proof as direct evidence of a given
01:54:53 fact. That's the law.
01:54:55 If you don't want --
01:54:57 MR. SIMPSON: Really, sir.
01:54:55 MR. SCAROLA: -- the circumstantial
01:54:56 evidence --
01:54:57 MR. SIMPSON: Mr. Scarola --
01:54:57 MR. SCAROLA: -- tell us that.
01:54:58 MR. SIMPSON: -- please don't make speeches,
01:54:59 and please don't coach the witness.
01:55:01 MR. SCAROLA: Just tell us that. I'm not
01:55:02 coaching the witness. I'm asking you -- you're
01:55:06 asking ambiguous questions.
01:55:08 MR. SIMPSON: There's nothing ambiguous --
01:55:09 MR. SCAROLA: If you want only direct
01:55:10 evidence, we will give you only direct evidence.
01:55:13 If you want a full and complete answer, it's
01:55:15 got to include circumstantial evidence, so don't
01:55:19 cut him off when he's giving you that.

01:55:20 MR. SIMPSON: Really, objecting to the form
01:55:23 of the question preserves all of any problems
01:55:26 there may be with the question.
01:55:27 MR. SCAROLA: No, sir.
01:55:27 MR. SIMPSON: We don't need a speech.
01:55:27 MR. SCAROLA: It doesn't. It doesn't.
01:55:27 BY MR. SIMPSON:
01:55:32 Q. Mr. Cassell, is it your testimony that, from
01:55:37 Mr. Rodriguez's testimony about how often he says
01:55:43 Professor Dershowitz visited in a 2004/2005 time frame,
01:55:49 it's fair to draw an inference about how often he
01:55:52 visited in an earlier -- three-year earlier time frame?
01:55:56 A. **In the circumstances of this case,**
01:55:59 **absolutely.**
01:55:59 Q. And would it be fair to infer from the number
01:56:03 of times that Donald Trump visited three years later,
01:56:08 how often he visited at an earlier period?
01:56:09 A. **I did not investigate the circumstances**
01:56:12 **involving Trump. He wasn't somebody that was coming up.**
01:56:16 Q. Were you aware on December 30th of 2014 that
01:56:25 Donald Trump was quoted in Vanity Fair as saying: "I've
01:56:28 known Jeff" -- referring to Epstein -- oh, I'm sorry.
01:56:34 It was a New Yorker Magazine, not Vanity Fair. That he
01:56:37 was quoted as saying: "I've known Jeff" -- referring to
01:56:40 Epstein -- "for 15 years. Terrific guy. And he's a lot

01:56:44 of fun to be with." It even said that: "He likes
01:56:47 beautiful women as much as I do, and many of them are on
01:56:52 the younger side. No doubt about it, Jeffrey enjoys the
01:56:56 social -- social life"? Were you aware of that on
01:56:57 December 30th, 2014?
01:56:58 A. **Possibly. I mean that sounds vaguely**
01:57:01 **familiar. Trump has just not been somebody that -- that**
01:57:05 **I've paid much attention to in this case.**
01:57:07 Q. Based on that statement, and the facts we
01:57:14 discussed earlier about Mr. Trump visiting and being a
01:57:21 friend, and the other circumstances we discussed, are
01:57:24 you suspicious about whether he engaged in sexual
01:57:27 misconduct with minors?
01:57:29 MS. McCAWLEY: I'm going to object to the
01:57:30 extent that you can't reveal anything that my
01:57:31 client has informed you of.
01:57:33 THE WITNESS: Right. If we set aside that
01:57:35 information, I'm not -- I'm not suspicious, no,
01:57:39 not given the information I have.
01:57:39 BY MR. SIMPSON:
01:57:40 Q. Okay. So notwithstanding that his name is
01:57:42 circled in the address book, he was a good friend, he
01:57:49 visited often, and he was quoted as saying that Jeff was
01:57:54 a terrific guy who liked young women almost as much as
01:57:58 Trump did, you're not even suspicious?

01:58:01 **A. Not -- you know, let's break that down in a**
01:58:05 **couple pieces.**
01:58:06 **The fact that his name is circled, if I were**
01:58:08 **running an FBI investigation, I'd go send somebody to**
01:58:10 **see what he knew about it, but no, it would take a lot**
01:58:13 **more for me to become suspicious that somebody is**
01:58:16 **involved in -- in sexual activity like that.**
01:58:19 Q. Okay. So you would agree with me then, that
01:58:21 the fact that a person often visited the mansion, the
01:58:24 person -- the fact that a person was a friend of
01:58:27 Mr. Epstein for 15 years, the fact that the person had
01:58:32 stated publicly that: "Mr. Epstein liked young women
01:58:36 almost as much as I do myself," and the fact that the
01:58:40 name is circled in the address book is not sufficient to
01:58:43 raise a suspicion that that person engaged in sexual
01:58:47 misconduct?
01:58:47 **A. So...**
01:58:48 Q. Yes or no. It's a yes or no question.
01:58:51 **A. It requires --**
01:58:51 MR. SCAROLA: You're not required to answer
01:58:53 yes or no, if a yes or no response alone would be
01:58:55 misleading.
01:58:56 THE WITNESS: The problem is the word
01:58:57 "suspicion." I'm not particularly suspicious on
01:58:59 those facts, but it -- you know, what do you mean

01:59:03 by "suspicion"? If I -- if I were running an FBI
01:59:04 investigation and somebody circled a name as --
01:59:06 as saying, look, this fellow may have some
01:59:09 information, I'd go follow up on that.
01:59:10 If you say that's suspicion, then the answer
01:59:13 would be, yes. But I -- you know, based on that
01:59:15 information alone, no. I mean that -- that
01:59:18 wouldn't -- wouldn't be enough for me to, you
01:59:22 know, invest time and energy into that particular
01:59:26 possibility.
01:59:26 BY MR. SIMPSON:
01:59:27 Q. Okay. So none of those facts are sufficient
01:59:31 even to justify spending time and energy, correct?
01:59:34 **A. Unless -- if I'm running -- this is -- again,**
01:59:37 **what do you mean by "suspicion"? Time and energy in the**
01:59:42 **context of somebody who is running a pro bono case with**
01:59:44 **limited resources to try to figure out what the sex**
01:59:47 **trafficking ring's going to do, I'm not going to chase**
01:59:49 **after that rabbit. It seems farfetched.**
01:59:53 **I'm going to focus my efforts on the people**
01:59:53 **who appear to be more directly involved.**
01:59:56 Q. Okay. So based on the facts that I gave you
01:59:59 a moment ago, you think it's farfetched that Donald
02:00:04 Trump was engaged in abusing minors?
02:00:07 **A. If that's all I had, I would not invest time**

02:00:11 **and energy in that, right.**
02:00:12 Q. And you referred to your pro bono case. What
02:00:16 is your best estimate of how much money you have made
02:00:21 representing victims of Jeffrey Epstein?
02:00:24 **A. In which case are we talking about now?**
02:00:26 Q. Any -- any case representing a victim of
02:00:28 Jeffrey Epstein.
02:00:29 **A. I need to confer with --**
02:00:33 MS. McCAWLEY: Yeah. I'm going to object.
02:00:33 BY MR. SIMPSON:
02:00:34 Q. And that -- that's a fact -- that's not a
02:00:36 privileged question. That's a factual question.
02:00:37 **A. Factual. Well, there are -- there are --**
02:00:38 Q. Just how much money? You don't have to tell
02:00:41 me who the clients are. Just how much money?
02:00:44 **A. Okay. I need to --**
02:00:46 MR. SIMPSON: There's a question pending. I
02:00:47 object to a break. There's no possible
02:00:48 privilege.
02:00:48 MR. SCAROLA: He has a privilege -- he has a
02:00:50 privilege question. He wants to consult with
02:00:51 counsel.
02:00:51 MR. SIMPSON: Well, really? My question is
02:00:53 how much money, and that's privileged?
02:00:55 MR. SCAROLA: It may be. I don't know. We

02:00:56 need to talk.
02:00:57 THE WITNESS: That's why I need to --
02:00:58 MR. SCOTT: There's no federal law or state
02:01:01 law that supports that financial information and
02:01:02 fees is privileged.
02:01:03 MS. McCAWLEY: We can argue about that
02:01:05 because that's in my motion, so we can argue
02:01:09 about that.
02:01:09 MR. SIMPSON: Well, can -- can --
02:01:09 MR. SCOTT: That one, I know all about.
02:01:10 MR. SCAROLA: You're objecting to our taking
02:01:11 a break --
02:01:11 MR. SIMPSON: I am objecting --
02:01:11 MR. SCAROLA: -- while this question is
02:01:13 pending?
02:01:13 MR. SIMPSON: That's correct.
02:01:14 MR. SCAROLA: It is our position that the
02:01:16 witness has a legal question about privilege. We
02:01:20 are going to take a break. We are going to talk
02:01:22 about it. It may turn out that it's not a
02:01:24 problem at all. I don't know.
02:01:26 THE VIDEOGRAPHER: We are going off the video
02:01:28 record, 10:38.
02:01:29 MR. SIMPSON: With my note, we are taking a
02:01:32 break over my objection.

02:01:34 THE VIDEOGRAPHER: 10:38.
02:01:41 (Thereupon, a recess was taken.)
02:15:10 THE VIDEOGRAPHER: We are back on the video
02:16:42 record, 10:49 a.m.
02:16:42 BY MR. SIMPSON:
02:16:44 Q. Back on the record. My question,
02:16:46 Mr. Cassell, was: What is your best estimate of how
02:16:50 much money you have made representing victims of Jeffrey
02:16:56 Epstein?
02:16:56 **A. In which case are we talking about?**
02:16:58 Q. In -- in any case. Combined total.
02:17:01 **A. Okay. With regard to the CVRA case, that's**
02:17:04 **pro bono, no money there. With regard to the other**
02:17:07 **cases, I'd like to answer your question, but due to**
02:17:10 **confidentiality obligations that have been imposed upon**
02:17:13 **me by Jeffrey Epstein, in the course of negotiating**
02:17:16 **those cases, I'm not permitted to answer that question.**
02:17:23 MR. SCAROLA: We are certainly willing to
02:17:25 respond appropriately to a court order in that
02:17:27 regard, but it requires a court order to release
02:17:30 us from the contractual confidentiality
02:17:33 obligations that we are under.
02:17:33 BY MR. SIMPSON:
02:17:36 Q. Is it your testimony, Mr. Cassell, that there
02:17:41 are confidentiality agreements with Mr. Epstein that

02:17:45 preclude you from giving the total amount paid without
02:17:51 breaking it down into particular cases?
02:17:53 **A. I'm sorry. I didn't understand.**
02:17:54 Q. Oh, maybe that wasn't clear. Let me do it
02:17:58 this way so we avoid --
02:18:00 **A. Yeah.**
02:18:00 Q. -- the confidentiality issues.
02:18:01 In how many cases have you been counsel for a
02:18:07 person suing Mr. Epstein alleging that she was a victim?
02:18:12 **A. Counsel of record?**
02:18:14 Q. Put it this way. How -- well, start with
02:18:17 that, counsel of record.
02:18:18 **A. I believe three.**
02:18:19 Q. Okay. And in addition to those three, have
02:18:26 you assisted other counsel in some way without becoming
02:18:29 counsel of record in cases by women suing Mr. Epstein
02:18:36 alleging that they had been abused?
02:18:38 **A. I believe there's one other case in addition**
02:18:41 **to the counsel of record case.**
02:18:42 Q. And without telling me --
02:18:44 **A. I'd -- I'd have to go double-check my record.**
02:18:46 **This is an approximate best recollection.**
02:18:46 Q. All right.
02:18:48 **A. It's about four.**
02:18:49 Q. To the best of your recollection, you were

02:18:51 counsel of record in three cases and you were involved
02:18:56 in another case -- at least one other case in which you
02:18:58 did not appear --
02:18:58 **A. That's right.**
02:18:59 Q. -- as counsel of record; is that correct?
02:19:00 **A. That's -- that's my recollection right now,**
02:19:03 **yeah.**
02:19:03 Q. All right. How many of those cases have been
02:19:05 resolved at this point?
02:19:06 **A. All. All -- of the four, I recall all four**
02:19:08 **have been resolved.**
02:19:09 Q. Okay. Without telling me the amount, did you
02:19:12 receive -- all four were settled; is that right?
02:19:15 **A. Correct.**
02:19:15 Q. Without telling me the amount, is it correct
02:19:21 that in all four of those cases, you received a legal
02:19:27 fee?
02:19:28 **A. I think that starts to call for a question I**
02:19:33 **need to consult with my attorney about.**
02:19:36 Q. Simply the question of whether in each of
02:19:39 them you received a fee?
02:19:40 **A. I just want to...**
02:19:42 THE WITNESS: Is -- is there any problem --
02:19:42 MR. SCAROLA: You can respond to that. You
02:19:43 can answer yes or no to that question.

02:19:44 THE WITNESS: Yes, I received something.
02:19:45 BY MR. SIMPSON:
02:19:48 Q. Okay. Was the fee -- and if it's different
02:19:50 for the -- the cases, tell me, but was it a contingent
02:19:54 fee or some kind of hourly fee?
02:19:56 MR. SCAROLA: That -- that does get into
02:19:59 attorney/client privileged matters. The terms --
02:20:03 MR. SIMPSON: You're instructing him not to
02:20:04 answer?
02:20:04 MR. SCAROLA: -- the terms of the
02:20:04 representation are attorney/client privilege. I
02:20:06 instruct him not to answer.
02:20:08 MR. SIMPSON: All right.
02:20:09 BY MR. SIMPSON:
02:20:10 Q. In addition to these four cases that have
02:20:13 been resolved, are you representing any other clients
02:20:18 who are alleging, in a case seeking monetary damages,
02:20:23 that they were abused by Jeffrey Epstein?
02:20:28 **A. I --**
02:20:28 MS. McCAWLEY: I'm going to object to the
02:20:29 extent that this seeks any information related to
02:20:33 Virginia Roberts that could be deemed privileged
02:20:35 or confidential.
02:20:36 THE WITNESS: So what's the...
02:20:36

02:20:36 BY MR. SIMPSON:
02:20:38 Q. I'm -- I'm trying to close a loop here.
02:20:40 **A. Yeah.**
02:20:40 Q. I'm asking whether you were involved in any
02:20:44 other cases in which claims have been made against
02:20:47 Jeffrey Epstein for damages that are still active; they
02:20:52 have not been resolved?
02:20:53 **A. So we are talking civil cases, unresolved**
02:20:58 **civil cases against Jeffrey Epstein right now?**
02:20:59 Q. Unresolved cases seeking money from Jeffrey
02:21:02 Epstein.
02:21:02 MR. SCAROLA: And to the extent that that
02:21:03 question calls for matters that are of public
02:21:06 record, then, obviously, you can respond.
02:21:08 THE WITNESS: Right. Yeah. None.
02:21:09 BY MR. SIMPSON:
02:21:10 Q. Are there -- and I'm not asking for the name.
02:21:11 Are there any not of public record that --
02:21:15 **A. What would be a "not"?**
02:21:16 Q. Well, if you had made a claim that's not in
02:21:19 suit, for example.
02:21:20 **A. Oh, against Jeffrey Epstein?**
02:21:21 Q. Yes.
02:21:21 **A. Yeah. No, I don't -- I don't think there's**
02:21:25 **anything. Yeah, no -- no claims against Epstein, right.**

02:21:30 Q. And -- and it's true, is it not, that if
02:21:33 you're successful in the CVRA case, in setting aside the
02:21:37 nonprosecution agreement, you expect to get other
02:21:41 clients who will have claims against Jeffrey Epstein?
02:21:45 **A. If we -- in civil claims?**
02:21:47 Q. Claims for damages, claims for money from
02:21:50 Jeffrey Epstein.
02:21:51 **A. That -- I mean, that starts to -- if the**
02:21:55 **nonprosecution agreement is set aside?**
02:21:58 Q. Yes, if you're successful.
02:21:59 **A. I haven't really -- that sounds pretty**
02:22:02 **speculative. I haven't really thought about the**
02:22:04 **civil -- the focus of the CVRA case is criminal. I**
02:22:08 **haven't thought about, you know, whether, civil claims**
02:22:11 **could somehow arise out of that. I mean, we are talking**
02:22:14 **about, you know, events that took place long ago. There**
02:22:18 **would be statute of limitations issues, you know.**
02:22:20 **Whether they are viable civil claims at this point has**
02:22:24 **not been something that I have, you know, given much**
02:22:25 **thought to.**
02:22:26 Q. So is it your testimony then that you have
02:22:28 not thought about the question of whether success in the
02:22:33 CVRA case may or result in you obtaining additional
02:22:39 clients with claims for money damages against Jeffrey
02:22:41 Epstein?

02:22:42 **A. Yeah. That hasn't been something that I have**
02:22:44 **focused on, no. I mean...**
02:22:46 Q. It is -- it is correct, is it not, that you
02:22:49 anticipate that if you are successful in setting aside
02:22:53 the nonprosecution agreement, that the names of
02:22:58 additional victims will become known; didn't you testify
02:23:01 to that yesterday?
02:23:03 **A. I -- I'm not -- I must be confused here. I**
02:23:07 **don't remember.**
02:23:07 Q. Well, wait -- I don't want to -- you know,
02:23:09 let me ask the question --
02:23:09 **A. Yeah.**
02:23:10 Q. -- rather than my recollection.
02:23:11 **A. Yeah, yeah. That's what I'm not...**
02:23:12 Q. My question is: Do you anticipate that if
02:23:15 you're successful in setting aside the nonprosecution
02:23:18 agreement, that the names of additional victims will
02:23:23 become known?
02:23:24 **A. Additional Epstein victims at this point?**
02:23:26 Q. Yes.
02:23:26 **A. Again, it's pretty speculative. The --**
02:23:30 **the issue -- you know, the case, you know, the events**
02:23:34 **were roughly a decade ago. I mean, we are always hoping**
02:23:38 **that there might be somebody additional that would come**
02:23:40 **forward, but that hasn't been the focus of the**

02:23:43 **litigation.**
02:23:43 Q. Whether --
02:23:45 **A. And you always hope that there are -- yeah, I**
02:23:48 **mean, any time you file a case, ah, I hope some more,**
02:23:50 **you know, witnesses will come forward to support that**
02:23:52 **case, but that hasn't been the focus, trying to secure**
02:23:55 **additional -- additional witnesses. That is a**
02:23:57 **possibility, though. I mean, I think in fairness to**
02:24:00 **your question, that is a possibility that, you know,**
02:24:02 **if -- if the case attracts attention and -- and**
02:24:05 **somebody, you know, says, you know, gosh, now that I --**
02:24:09 **I -- I -- you know, I moved away to escape Epstein and**
02:24:10 **now it's safe for me to come back, or -- or now I**
02:24:13 **realize I have a claim, that's always a possibility.**
02:24:15 **I certainly wouldn't want to suggest that,**
02:24:17 **you know, we are ruling that possibility out.**
02:24:19 Q. And for the same reason that additional
02:24:23 witnesses might become available -- known, additional
02:24:27 clients might become known, correct?
02:24:28 **A. That is a theoretical possibility, yes.**
02:24:30 Q. In these four cases that you mentioned, the
02:24:34 three that were, which you were counsel of record and
02:24:38 one in which you were not, did you meet at any time in
02:24:44 person with the clients? And if it's different as to
02:24:48 some than others, tell me that, but --

02:24:50 **A. Yes.**
02:24:50 Q. In all four, you met with the clients?
02:24:52 **A. In three of the four.**
02:24:53 Q. And were those three the three in which you
02:24:57 were counsel of record?
02:24:58 **A. Yes.**
02:24:59 Q. As of December --
02:25:01 **A. I believe I was counsel of record on all**
02:25:03 **three of those. I would have to double-check. I know I**
02:25:05 **was counsel of record in the federal case. The two of**
02:25:08 **them are state cases, I believe, that it was pro hac in**
02:25:11 **the state cases.**
02:25:14 Q. Okay. I won't ask you the names, but in the
02:25:14 four cases, what are the initials of your clients?
02:25:19 **A. Okay. So the -- the --**
02:25:20 Q. Put it this way: How are they identified in
02:25:22 the caption that you filed?
02:25:23 **A. Well, also the three that were filed, one**
02:25:26 **was -- one was the initials S.R. I referred to**
02:25:28 **Miss S.R. yesterday. That was the Jane Doe case in**
02:25:32 **Federal Court in front of Judge Marra.**
02:25:34 **There were two state claims. I'll -- I'll**
02:25:37 **identify the clients as E.W. and L.M.**
02:25:42 Q. And then the fourth one?
02:25:44 **A. The fourth one, I believe -- the initial M.**

02:25:49 **and I believe the last initial was B., but I may be**
02:25:54 **wrong about the B. First initial M.**
02:25:56 Q. At the -- okay. At the time that you filed
02:26:04 the joinder motion --
02:26:05 **A. Yes.**
02:26:06 Q. -- in the federal case, so December 30th of
02:26:10 2014, you knew that naming Prince Andrew would generate
02:26:15 substantial publicity, correct?
02:26:18 **A. I knew it would attract a lot of attention.**
02:26:23 **Yeah, I mean, "substantial" we could debate, but, sure,**
02:26:25 **I knew that that was going to -- you know, once you**
02:26:28 **start exposing the extent of this criminal activity,**
02:26:33 **obviously, there were going to be a lot of people**
02:26:36 **interested, yes.**
02:26:36 Q. And you also knew that naming Professor
02:26:41 Dershowitz would attract publicity?
02:26:46 **A. Well, when you say "naming," one of the**
02:26:49 **things you've got to understand is the names were**
02:26:50 **already in the case, both Prince Andrew and Alan**
02:26:56 **Dershowitz. We had pending discovery requests for**
02:26:59 **information about both of them. So when you say "naming**
02:27:00 **them," you know, they were already named in the case.**
02:27:02 **Now, would the additional allegations have**
02:27:05 **attracted additional attention? Sure.**
02:27:07 Q. Mr. Cassell, it's true, is it not, that the

02:27:10 filing on December 30th of 2014, was the first time that
02:27:16 you had ever, yes, ever on behalf of Virginia Roberts or
02:27:21 any other client, accused Professor Dershowitz or
02:27:25 Prince Andrew of sexual abuse in a public filing?
02:27:29 **A. If you're talking about direct allegation,**
02:27:31 **that's correct.**
02:27:31 Q. Had you ever public -- well, at no other time
02:27:39 that -- you expected when you filed the pleading on
02:27:41 December 30th, 2014, that it would be -- be something of
02:27:45 public record that would generate publicity, correct?
02:27:48 **A. Public record, the focus was not generating**
02:27:51 **publicity. Of course, when you file an allegation like**
02:27:54 **that, there certainly would have been -- we would**
02:27:55 **anticipate there would have been publicity, absolutely.**
02:27:58 Q. And before December 30th of 2014, to the best
02:28:03 of your knowledge, neither you, nor anyone else, had
02:28:08 told Professor Dershowitz that there were allegations
02:28:12 that he personally had engaged in sexual misconduct?
02:28:12 **A. Um...**
02:28:19 MS. McCAWLEY: I'm going to object to that
02:28:20 date if that reveals anything that would be
02:28:21 privileged between something that would have been
02:28:24 communicated by the client.
02:28:25 MR. SIMPSON: No. These are communications
02:28:27 to Professor Dershowitz.

02:28:29 MR. SCAROLA: Yes. And that could very well
02:28:31 include attorney/client privileged
02:28:33 communications.
02:28:36 MR. SIMPSON: Let me -- I'll ask my question.
02:28:37 BY MR. SIMPSON:
02:28:38 Q. My question is: Did you ever advise
02:28:45 Professor Dershowitz that there were allegations that he
02:28:50 had engaged, himself, in sexual misconduct with minors?
02:28:56 **A. Not me personally, no.**
02:28:57 Q. Are you aware of any e-mail, letter, other
02:29:04 communication from anybody that went to Professor
02:29:09 Dershowitz that told Professor Dershowitz that he had
02:29:12 been accused of engaging in misconduct himself?
02:29:17 **A. Well, there -- I mean, I'm aware that there**
02:29:19 **was a deposition request in 2009. There was a**
02:29:22 **deposition request in 2011. That was accompanied by an**
02:29:27 **exchange of correspondence that said, for example,**
02:29:29 **numerous witnesses have placed you in the presence of**
02:29:31 **Jeffrey Epstein and underaged girls. It didn't then go**
02:29:35 **on to say, and you were committing sexual abuse of them,**
02:29:38 **but it said numerous witnesses had -- had done that.**
02:29:42 **And I think a reasonable inference would be**
02:29:43 **that, you know, you're verily sure that a witness and**
02:29:47 **then that also raises the possibility of -- well, I**
02:29:49 **mean, I think Professor Dershowitz mentioned yesterday,**

02:29:51 **that if you're in the presence of a convicted sex**
02:29:54 **offender, or a sex offender and sex abuse is going on,**
02:29:57 **you would have obligations, for example, at a minimum to**
02:30:00 **report that, and it raises the possibility of other**
02:30:02 **criminal activity as well.**
02:30:04 Q. Is it your testimony, Mr. Cassell, that
02:30:07 telling a person that multiple people have identified
02:30:15 you as a witness to some activity is fair notice that
02:30:20 you, yourself, are accused of engaging in criminal
02:30:25 misconduct?
02:30:26 A. **So -- so you, I think, recharacterized the**
02:30:29 **letter that went to Mr. Dershowitz in 2011. The letter,**
02:30:32 **as I recall, doesn't say he is a witness. It says, if I**
02:30:35 **recall -- we can double-check the language -- but I**
02:30:38 **believe the language says: Numerous witnesses have**
02:30:42 **placed you in the presence of Jeffrey Epstein, underaged**
02:30:45 **girls, and Epstein. Then, you know, so at that point,**
02:30:48 **given what we know in this case, given that at that**
02:30:52 **point in 2011, there had been an ongoing set of**
02:30:55 **allegations against Mr. Epstein, I -- I think your**
02:30:59 **question doesn't -- doesn't take into account this**
02:31:03 **surrounding context.**
02:31:04 **Not to mention the fact there had been a 2009**
02:31:07 **deposition request and a 2013 document request.**
02:31:12 Q. Okay. I think you accurately characterized

02:31:15 the communication about the deposition request that
02:31:20 multiple persons have placed you in the presence --
02:31:23 A. **Right.**
02:31:23 Q. -- of minors --
02:31:25 A. **Right.**
02:31:26 Q. -- correct?
02:31:27 A. **I believe that's my recollection. Numerous**
02:31:29 **witnesses have placed you in the presence of sex**
02:31:33 **offend -- at that point, convicted sex offender Jeffrey**
02:31:35 **Epstein, who was convicted of sexually abusing underaged**
02:31:38 **girls, and underaged girls, and those are the subjects**
02:31:42 **we would like to question you about.**
02:31:43 **And rather than getting a response that says,**
02:31:46 **well, let me clear that all up, the response that's**
02:31:48 **received was, something along the lines of, give me more**
02:31:51 **information and -- and, quote: I'll decide whether I**
02:31:54 **want to cooperate, close quote, or something along those**
02:31:57 **lines.**
02:31:57 Q. Mr. Cassell, let me -- I'm going to read to
02:31:59 you --
02:31:59 A. **Good.**
02:31:59 Q. -- from the letter itself --
02:31:59 A. **Okay.**
02:32:02 Q. -- and tell me if it's consistent with your
02:32:03 recollection.

02:32:03 MR. SIMPSON: I'm sorry. You were right,
02:32:08 yes.
02:32:08 MR. SCAROLA: Can you just show it to him?
02:32:09 MR. SIMPSON: I'll read it, and then if he
02:32:11 wants to look at it, that will be fine.
02:32:12 MR. SCAROLA: Thank you.
02:32:13 BY MR. SIMPSON:
02:32:14 Q. This is a letter from Mr. Scarola to
02:32:15 Mr. Dershowitz dated August 23rd, 2011. The second
02:32:23 sentence says -- well, I'm going to read the whole
02:32:26 thing.
02:32:26 MR. SCAROLA: Yeah, thank you.
BY MR. SIMPSON:
Q. "We do not" --
MR. SCAROLA: It's short, so it would be
helpful if you just read the whole thing.
BY MR. SIMPSON:
Q. Yeah.
02:32:28 "We do not intend to inquire about any
02:32:31 privileged communications or attorney work
02:32:33 product. We do, however, have reason to believe
02:32:37 that you have personally observed Jeffrey Epstein
02:32:41 in the presence of underaged females, and we
02:32:44 would like the opportunity to question you under
02:32:47 oath about those observations. Thank you for

02:32:51 your anticipated cooperation. Signed, Jack
02:32:53 Scarola."
02:32:54 If you would like to --
02:32:54 A. **Sure.**
02:32:55 Q. -- take a look at the letter to refresh
02:32:57 yourself, you're welcome to.
02:33:00 A. **Great. Thanks. Okay.**
02:33:06 Q. Now, first, you're aware, are you not, that
02:33:09 Professor Dershowitz answered that letter and said the
02:33:12 assertion that he had observed Mr. Epstein in the
02:33:15 presence of underage --
02:33:22 MR. SCAROLA: Females.
02:33:22 BY MR. SIMPSON:
02:33:23 Q. -- females was not true?
02:33:24 A. **Something along those lines, yeah.**
02:33:28 Q. Yeah. And I will read it from that letter --
02:33:29 A. **Okay. That would be good. Yeah, that would**
02:33:31 **be great.**
02:33:33 Q. And "I have never" -- this is a letter from
02:33:33 Mr. Dershowitz to Mr. Scarola, August 29th, 2011.
02:33:38 "Dear Mr. Scarola, I have never personally
02:33:41 observed Jeffrey Epstein in the presence of
02:33:43 underaged females. I do not believe you have any
02:33:46 reasonable basis for believing that I have. If
02:33:49 you have -- if you claim to have reason to

02:33:52 believe, please provide me with any such reason.
02:33:55 I am certain I can demonstrate to you that it is
02:33:58 false."
02:33:59 Is that consistent with your recollection of
02:34:01 the response?
02:34:01 **A. That sounds about right, yeah.**
02:34:03 Q. So Mr. Dershowitz did not ignore the letter;
02:34:04 he responded to it, correct?
02:34:06 **A. I think that's right.**
02:34:07 Q. And go back to the first letter.
02:34:10 **A. But, now, if we are -- if we're talking**
02:34:11 **about -- yeah, there's that one letter and now there's a**
02:34:14 **response letter, right.**
02:34:14 Q. My question to you is: Does the statement to
02:34:21 a person that "we have reason to believe that you have
02:34:26 personally observed another person in the presence of
02:34:31 underage females and we would like to ask you about your
02:34:35 observations," put the recipient on notice that you,
02:34:41 yourself, are accused of criminal conduct in abusing
02:34:45 minors?
02:34:46 **A. Well, it puts you on notice that you're a**
02:34:49 **potential, obviously, witness to this and then therefore**
02:34:51 **you could have potential involvement.**
02:34:53 **Let me give you a simple illustration. It'll**
02:34:55 **take about 20 seconds. If somebody says --**

02:34:56 Q. Well, let me back up. My first question,
02:34:57 though, if you can answer the question.
02:34:58 MR. SCAROLA: No. I'm sorry. The witness is
02:35:00 entitled to complete his response. If you
02:35:01 don't -- if you believe it to be unresponsive,
02:35:03 you can move to strike it, but he's entitled to
02:35:06 complete it.
02:35:06 MR. SIMPSON: He --
02:35:06 MR. SCAROLA: So go ahead and complete your
02:35:08 response.
02:35:08 MR. SIMPSON: Can we have a -- you can give
02:35:09 an explanation, but a yes or no with an
02:35:10 explanation.
02:35:11 MR. SCAROLA: You already got that. Could we
02:35:12 now have the completion of the response?
02:35:14 THE WITNESS: Here's the simple illustration
02:35:16 I think makes it pretty clear: If somebody says,
02:35:17 we have observed you in the presence of a kilo of
02:35:20 cocaine, we would like to question you about the
02:35:23 presence -- about your observations of this, that
02:35:26 doesn't directly state that you are a drug user
02:35:27 or a drug dealer, but it certainly puts you on
02:35:29 notice that you're associated with that criminal
02:35:31 activity and somebody is going to question you
02:35:31 about it.

02:35:33 In the context of this case, to say, you have
02:35:35 been observed in the -- in -- by numerous
02:35:37 witnesses in the presence of a convicted sex
02:35:41 offender and underage girls, and we would like to
02:35:45 talk to you about those observations, I think
02:35:45 that puts you on notice that you're in -- in --
02:35:49 in jeopardy of -- of criminal activity,
02:35:52 particularly when you combine that with the fact
02:35:54 that there is a duty to report child abuse in
02:35:57 many states in this country, including the State
02:35:57 of Florida.
02:35:59 And so that if those observations were such
02:36:02 that they would give rise to a reasonable
02:36:05 inference that sex abuse was -- of children was
02:36:08 going on and you'd be obligated to report it, as
02:36:09 I think Mr. Dershowitz conceded yesterday, yes,
02:36:12 you -- I think that puts you on notice that --
02:36:14 that those kinds of things are being alleged.
02:36:16 BY MR. SIMPSON:
02:36:18 Q. So, first, the letter itself, the letter from
02:36:22 Mr. Scarola simply says, you were -- you were personally
02:36:28 -- you personally observed Jeffrey Epstein in the
02:36:31 presence of underaged females, correct?
02:36:33 **A. Correct.**
02:36:33 Q. It does not say, you witnessed abuse of any

02:36:37 minor; we have reason to believe you observed abuse of
02:36:39 minors?
02:36:39 **A. If those words do not appear there, but come**
02:36:41 **on, we -- we know -- we know in the context of this**
02:36:44 **case, when somebody is asking to take a deposition about**
02:36:47 **your observation of young girls, they weren't talking**
02:36:50 **about preparations for birthday parties. They were**
02:36:52 **talking about sexual abuse of children.**
02:36:56 **And that was what Mr. Dershowitz was going to**
02:36:59 **be asked about. And he did not -- he did not take that**
02:37:02 **opportunity to try to clear the record; instead, we are,**
02:37:05 **you know, here today, because among other reasons, he --**
02:37:09 **he -- he wasn't deposed then.**
02:37:12 Q. I want -- I want to comment. I'm just a
02:37:18 little bit non -- nonplussed, so I want to come back to
02:37:21 this again.
02:37:21 **A. Well, I'm -- I have to tell you, I'm a little**
02:37:23 **bit nonplussed that somebody would say that letter**
02:37:24 **doesn't put you on notice that you're potentially**
02:37:27 **involved in criminal activity. I mean, come on.**
02:37:30 Q. I -- my question wasn't potentially involved
02:37:33 in criminal activity. We disagree about whether it does
02:37:36 that.
02:37:37 **A. Okay. I think it does.**
02:37:38 Q. I suspect you -- that's how you read it?

02:37:40 **A. I think it puts you on notice in the context**
02:37:42 **of a country which has required people to report the**
02:37:45 **sexual abuse of children, and somebody wants to talk to**
02:37:49 **you about your observations of a convicted sex offender**
02:37:52 **with underage girls, that that's going to be one of the**
02:37:56 **subjects that's going to be discussed, yes.**
02:37:56 Q. My question was -- my initial question was:
02:38:01 Does -- do the statements in this letter put the reader
02:38:05 on notice that you, personally, are accused of abusing
02:38:14 minors yourself, not that you have in some knowledge or
02:38:19 evidence that someone else did it, but that you,
02:38:22 yourself, did it; is that a way to give fair notice?
02:38:26 **A. Well, in fair notice in what context? You**
02:38:30 **know, is he on notice that a lawsuit is going to be**
02:38:31 **filed the next day?**
02:38:32 **Simply from that piece of -- that letter**
02:38:34 **alone, they are on notice, you know -- I mean, I think**
02:38:37 **that puts you on notice that there are serious**
02:38:41 **allegations afoot and it would be in your best interest**
02:38:43 **if you hadn't done anything, to show up, attend a**
02:38:46 **deposition, let all the facts come out so that everybody**
02:38:48 **can know them.**
02:38:49 Q. Would you agree that accusing someone of
02:38:54 themselves abusing a minor is different than accusing
02:39:00 someone of having knowledge that somebody else did it?

02:39:03 **A. Yes.**
02:39:04 Q. And to accuse someone of abusing a minor is a
02:39:09 serious, serious accusation of criminal conduct,
02:39:14 personal criminal conduct, not just failing to report
02:39:17 somebody else, but you, yourself, are abusing people?
02:39:21 **A. Oh, yeah.**
02:39:21 MR. SCAROLA: Are you suggesting that that's
02:39:23 not criminal conduct?
02:39:25 MR. SIMPSON: I'm -- I'm -- my question
02:39:26 stands.
02:39:26 BY MR. SIMPSON:
02:39:26 Q. What is the answer to that?
02:39:27 **A. It is a very serious charge, I agree. That's**
02:39:30 **why we are all here today.**
02:39:30 Q. Okay. And -- and if you wanted to put
02:39:32 someone on fair notice that they are accused themselves
02:39:36 of being a sex offender, a criminal who has abused
02:39:41 children, wouldn't you tell them that?
02:39:43 **A. That's a speculative question because that**
02:39:46 **letter was designed to try to collect information about**
02:39:48 **an international sex trafficking organization. And so**
02:39:52 **as to -- you know, I'm not going to speculate as to why**
02:39:55 **Mr. Scarola wrote it that way. But my sense, based on**
02:39:58 **the public record is, that he was trying to get as much**
02:40:01 **information as he could about what Jeffrey Epstein and**

02:40:03 **his criminal associates were doing. And he thought that**
02:40:05 **Mr. Dershowitz would have information and was trying to**
02:40:07 **collect that.**
02:40:08 **Now, whether the -- the -- the tentacles of**
02:40:10 **the organization would extend so that they wrapped**
02:40:13 **around Mr. Dershowitz himself, I guess was the subject**
02:40:16 **that -- that Mr. Scarola, I am assuming, was hoping to**
02:40:18 **explore. But Mr. Dershowitz prevented that opportunity.**
02:40:22 Q. And Mr. Dershowitz, you knew, had been
02:40:26 Mr. Epstein's attorney, correct?
02:40:27 **A. Correct.**
02:40:28 Q. And you knew, just as we have seen here today
02:40:32 with multiple assertions of privilege, that he could not
02:40:36 testify about anything he learned as an attorney?
02:40:37 **A. He could testify, and the letter itself says,**
02:40:40 **we are not going to ask you about any communications; we**
02:40:43 **are going to ask you about observations of sex abuse by**
02:40:47 **a convicted sex offender, and your personal knowledge of**
02:40:50 **that. That would not have erased in the -- and**
02:40:52 **Mr. Scarola's a very good attorney, and I'm sure all of**
02:40:55 **his questions that we saw the last couple of days would**
02:40:58 **have been very narrowly focused on observations about**
02:41:01 **what this criminal organization was doing.**
02:41:05 Q. And so to the bottom line is that your view,
02:41:08 your sworn testimony, this letter of August 23rd, 2011,

02:41:16 put Mr. Dershowitz, Professor Dershowitz, on fair notice
02:41:21 that he was being accused of being a sex offender
02:41:25 himself?
02:41:26 **A. We -- we have gone over this. I think it put**
02:41:28 **him on fair notice that there were serious questions**
02:41:31 **being raised about what he knew about this criminal**
02:41:35 **organization, what the potential criminal responsibility**
02:41:36 **he had for failure to report sexual abuse of a child, as**
02:41:39 **well as other possibilities.**
02:41:42 MR. SIMPSON: I'm going to move to strike as
02:41:43 nonresponsive.
02:41:43 BY MR. SIMPSON:
02:41:44 Q. My question is a very narrow one, whether
02:41:47 this letter, in your opinion, under oath, fairly put
02:41:53 Mr. -- Professor Dershowitz on notice that he himself
02:41:58 was accused of abusing minors.
02:42:02 **A. Again, that's a vague question. I've tried**
02:42:04 **to give the best answer I can. That was certainly a**
02:42:06 **potential area of questioning. I think that puts him on**
02:42:09 **notice that it would have been in his best interest to**
02:42:12 **appear to answer those questions.**
02:42:14 MR. SIMPSON: I'm going to object to the
02:42:16 answer again as nonresponsive.
02:42:16 BY MR. SIMPSON:
02:42:18 Q. It's a really simple question.

02:42:20 Does that letter put Mr. Dershowitz on fair
02:42:23 notice that he's accused of being a sex offender
02:42:26 himself?
02:42:27 MR. SCAROLA: Objection. Repetitious. To
02:42:28 the extent that you can improve upon the answer,
02:42:32 you can improve upon the answer. If you can't,
02:42:35 all you need to do is say that.
02:42:37 THE WITNESS: I -- and I'll try to --
02:42:38 obviously, I want to be responsive --
02:42:38 BY MR. SIMPSON:
02:42:38 Q. Let -- let me ask --
02:42:40 **A. -- to your question.**
02:42:40 Q. I'll ask you a different question.
02:42:41 **A. I don't think that's a yes or no question**
02:42:43 **because of -- of you're including vague terms like fair**
02:42:46 **notice and -- and those sorts of things. So -- but go**
02:42:49 **ahead and ask your questions and I'll -- I mean, go**
02:42:55 **ahead.**
02:42:55 Q. You're a former federal judge?
02:42:55 **A. Right.**
02:42:56 Q. A former Supreme Court law -- law clerk?
02:42:58 **A. Yes.**
02:42:59 Q. Professor at a law school?
02:43:02 **A. Yes.**
02:43:03 Q. Reading as -- reading the language of this

02:43:09 letter, in your opinion, does the language itself put
02:43:18 the recipient on notice that the recipient is accused of
02:43:23 abusing minors himself?
02:43:27 **A. It puts him on notice that that is going to**
02:43:29 **be a potential subject of inquiry at the -- at the --**
02:43:33 **the deposition.**
02:43:34 Q. So your answer then is, yes, it puts the --
02:43:37 the -- the person on notice; that's your reading?
02:43:40 **A. You're -- I think you're putting words in my**
02:43:42 **mouth. You're -- you're trying to ask, you know, a**
02:43:44 **question that on the one hand, you're suggesting is**
02:43:47 **narrow, and on the other hand is broad. It -- I mean,**
02:43:50 **this is probably the simplest way to answer that**
02:43:50 **question.**
02:43:51 **If I had gotten that letter, I would have**
02:43:52 **said, schedule the deposition in the next 24 hours, and**
02:43:55 **come on down here now, and I will be available for a**
02:43:58 **week. That's what I would have said if I had gotten**
02:44:01 **that letter.**
02:44:02 MR. SIMPSON: Move to strike as
02:44:03 nonresponsive.
02:44:03 BY MR. SIMPSON:
02:44:06 Q. Is it your testimony you can't answer yes or
02:44:09 no whether that letter, on its face, puts the recipient
02:44:12 on notice that the recipient is accused himself of

02:44:17 having abused minors? Can you answer that: Yes or no?
02:44:21 **A. No. I think a yes-or-no answer would be**
02:44:24 **misleading, given the context of this case.**
02:44:27 Q. You referred in your earlier testimony to --
02:44:44 strike that for a moment.
02:44:46 You referred in your earlier testimony to an
02:45:04 article that appeared today regarding
02:45:09 Professor Dershowitz's deposition testimony, correct?
02:45:11 **A. I don't think so.**
02:45:13 Q. Okay. Are you aware that -- well, perhaps it
02:45:17 was Miss McCawley who referred to it.
02:45:19 Do you recall there being a reference this
02:45:21 morning to an article being published about
02:45:24 Professor Dershowitz's testimony?
02:45:26 MS. McCAWLEY: Oh, I'm sorry. It was me. I
02:45:28 objected to the extent -- only to the extent it
02:45:30 revealed something public that had been stated in
02:45:33 public.
02:45:33 BY MR. SIMPSON:
02:45:34 Q. Okay. And I -- you recall that?
02:45:36 **A. Yeah, I recall the objection. I think**
02:45:37 **there's an article that came out yesterday or a**
02:45:39 **communication. I -- I -- you know, I can't remember**
02:45:42 **the -- exactly where I -- I know that I received a**
02:45:45 **communication, either through publication or in some**

02:45:47 **other way from the -- from the -- you know, I became**
02:45:51 **aware that there was a statement that the -- what's the**
02:45:55 **name of the outfit? It's the Business Investor --**
02:45:57 MR. SCAROLA: Daily Business Review.
02:45:58 THE WITNESS: Daily Business Review that was
02:46:01 stating that David Boies was saying that the
02:46:04 representations made by Mr. Dershowitz were
02:46:08 false.
02:46:08 MR. SCAROLA: I did just coach the witness.
02:46:09 I apologize.
02:46:10 THE WITNESS: Yeah. And, I'm sorry, just for
02:46:12 the name of that, so...
02:46:12 BY MR. SIMPSON:
02:46:13 Q. And you -- in your earlier testimony, you
02:46:14 referred to it -- you didn't recall the name, but you
02:46:17 referred to it as a reputable --
02:46:18 **A. That's right.**
02:46:19 Q. -- publication?
02:46:21 **A. That's right. That's the one we are talking**
02:46:21 **about, right.**
02:46:21 Q. Right. And in that article it states:
02:46:31 "McCawley," referring to our colleague,
02:46:32 "later issued a statement on Boies's behalf
02:46:35 saying, because the discussions that Mr. Boies
02:46:37 had with Mr. Dershowitz were expressly privileged

02:46:40 settlement discussions, Mr. Boies will not, at
02:46:43 least at this time, describe what was actually
02:46:46 said. However, Mr. Boies does state that
02:46:50 Mr. Dershowitz's description of what was said is
02:46:54 not true."
02:46:55 **A. That's the one.**
02:46:55 Q. You read that?
02:46:56 **A. Yeah. I -- I learned of it -- yeah, I don't**
02:46:58 **remember whether I read or how I got it, but yeah,**
02:47:00 **that's the one.**
02:47:00 Q. In light of that statement by Mr. Boies,
02:47:03 would you agree that any privilege has been waived?
02:47:06 **A. I would not.**
02:47:06 Q. So --
02:47:07 **A. That's -- that's a newspaper article.**
02:47:08 Q. It's a pub -- it's a quote. Let me clarify.
02:47:12 That's a statement -- quoting a statement issued by
02:47:16 Ms. McCawley and quoting Mr. Boies as saying,
02:47:20 Mr. Dershowitz's description of what was said is not
02:47:23 true, so that's a public statement by Mr. Boies saying
02:47:26 that Mr. Dershowitz's testimony is not true; is that a
02:47:29 waiver in your view?
02:47:30 **A. No. And that would require -- I'm with --**
02:47:32 **I'm just putting you on notice, talking about notice, if**
02:47:35 **you want me to, I could give you the law professor**

02:47:39 **answer as to why that's not a waiver. Off the top of my**
02:47:41 **head, I can start talking about that.**
02:47:43 Q. No. I don't -- I don't need that.
02:47:44 **A. Right. That's why I just wanted to let you**
02:47:46 **know, so...**
02:47:46 Q. But I really wanted to clarify -- and what I
02:47:49 wanted to clarify was --
02:47:49 **A. I do not -- let me just be clear, so the**
02:47:51 **record is clear: I absolutely do not believe that's a**
02:47:52 **waiver and I could give you an extended answer, but I**
02:47:55 **know time is drawing short --**
02:47:55 Q. All right.
02:47:56 **A. -- so...**
02:47:56 Q. But you -- what I want to clarify is that,
02:48:00 notwithstanding that statement, you will continue to
02:48:02 answer all my questions about the substance of
02:48:05 discussions with Mr. Boies; you're continuing not to
02:48:08 answer, you're continuing --
02:48:10 MS. McCAWLEY: Yes --
02:48:10 MR. SCAROLA: You just said you --
02:48:10 MS. McCAWLEY: -- I believe --
02:48:11 MR. SCAROLA: -- continue to answer.
02:48:11 MS. McCAWLEY: I'm sorry.
02:48:11 MR. SIMPSON: I'm sorry.
02:48:12 MS. McCAWLEY: Continue not to answer.

02:48:13 MR. SCAROLA: Why don't you start over again?
02:48:15 MR. SIMPSON: No. I just want --
02:48:15 MS. McCAWLEY: We disagree with
02:48:16 your characterization of that as a waiver. It
02:48:19 was a statement that was issued in order to stop
02:48:22 the waivers that Mr. Dershowitz was trying to
02:48:22 engage in, and we -- we don't agree that's a
02:48:25 waiver and we will not allow any testimony
02:48:27 regarding those communications.
02:48:28 MR. SIMPSON: Okay. I disagree with the
02:48:31 position and the characterization, but I just
02:48:33 wanted to clarify on the record, I didn't have to
02:48:35 ask those questions again.
02:48:35 MR. SCAROLA: Sure.
02:48:38 MS. McCAWLEY: I understand.
02:48:38 MR. SIMPSON: And, obviously, our position is
02:48:39 that if it hadn't already been -- if it hadn't
02:48:41 already been waived -- either it wasn't
02:48:43 privileged or hadn't been waived, it's now
02:48:47 waived.
02:48:47 THE WITNESS: And my -- just --
02:48:50 MR. SIMPSON: I don't have a question.
02:48:51 THE WITNESS: I know, but I -- but I think
02:48:52 now in light of, since the record has these
02:48:53 characters, I just want to put one sentence into

02:48:57 the record, which is: It doesn't seem to me that
02:48:58 an attorney can inject into a deposition
02:49:01 confidential settlement proceedings, have
02:49:03 somebody deny that, and then say, aha, they're no
02:49:05 longer confidential settlement proceedings, so
02:49:05 that's --
02:49:08 MR. SIMPSON: There's no question pending. I
02:49:10 move to strike the comments.
02:49:12 THE WITNESS: Right. I just didn't want your
02:49:14 comments to -- to reflect back on my earlier
02:49:15 answer.
02:49:15 BY MR. SIMPSON:
02:49:18 Q. I want to go back, Mr. Cassell, get back to
02:49:23 yesterday's exhibits. I'm going to hand you what was
02:49:26 marked yesterday as Cassell Exhibit Number 2, which is
02:49:30 the joinder motion, and when you have that in front of
02:49:36 you --
02:49:36 **A. Got it.**
02:49:37 Q. Do you have that in front of you?
02:49:38 **A. I do.**
02:49:39 Q. All right. Would you -- find my copy of
02:49:42 it -- if you would turn to page -- bottom of page 3,
02:49:50 part of -- top of page 4; do you have that?
02:49:52 **A. Got it.**
02:49:53 Q. All right. I'm going to read it. Tell me if

02:49:55 I've read it correctly.
02:49:56 A. **Okay.**
02:49:56 Q. "Epstein also sexually trafficked the
02:49:59 then-minor Jane Doe" -- and that's Virginia Roberts,
02:50:02 correct?
02:50:02 A. **Yes.**
02:50:03 Q. -- "making her available for sex to
02:50:05 politically-connected and financially-powerful people.
02:50:09 Epstein's purposes in lending Jane Doe, along with other
02:50:14 young girls, to such powerful people were to ingratiate
02:50:20 himself with them for business, personal, political, and
02:50:24 financial gain, as well as to obtain potential blackmail
02:50:29 information."
02:50:30 Did I read that correctly?
02:50:31 A. **You did.**
02:50:31 Q. What did you mean by "obtain potential
02:50:35 blackmail information"?
02:50:36 A. **Okay. Let me just double-check.**
02:50:41 **Once the criminal organization had put the**
02:50:45 **bait out, so to speak, to various people, and they took**
02:50:49 **the bait that -- you know, I'm -- I'm speaking**
02:50:49 **colloquially here. These are -- these are young girls**
02:50:54 **who are being sexually abused. Once the criminal**
02:50:56 **organization had gotten people to sexually abuse**
02:50:58 **these -- these young girls, at that point, they had**

02:51:01 **information that they could use to blackmail those**
02:51:02 **people and -- and then get favors in exchange.**
02:51:05 **And that's Epstein at the head of the**
02:51:08 **organization would be the one who would benefit most**
02:51:11 **directly from the black -- the blackmail information.**
02:51:12 Q. And by "blackmail information," do you mean
02:51:17 that Mr. Epstein then had information that he could
02:51:19 threaten to disclose if the other person didn't do what
02:51:24 Epstein asked them to do?
02:51:24 A. **Precisely.**
02:51:26 Q. As of December 30th, 2014, if Miss Roberts
02:51:32 had access to publicity, she had exactly the same
02:51:36 ability to blackmail people; isn't that true?
02:51:38 A. **Absolutely not. A billionaire has far more**
02:51:43 **resources than a victim of child sex abuse, particularly**
02:51:46 **one that has been forced into hiding in Australia to**
02:51:49 **escape the criminal organization.**
02:51:51 **So for you to suggest that Virginia Roberts**
02:51:52 **had the same ability to blackmail somebody as Jeffrey**
02:51:56 **Epstein is, I think, preposterous.**
02:52:00 Q. As of -- Miss -- Miss Roberts had the same
02:52:03 ability as Jeffrey Epstein to reveal publicly the names
02:52:12 of the people who she says sexually abused her, as did
02:52:17 Mr. Epstein; isn't that true?
02:52:19 A. **You're talking about physical ability to**

02:52:21 **speak words. They both have the same physical ability**
02:52:24 **to speak the English language, yes.**
02:52:25 Q. And, in fact, before, at least three years
02:52:31 before December 30th, 2014, she had the ability to be
02:52:35 quoted in an article, more than one article, in the
02:52:39 Daily Mail in London about her experiences, correct?
02:52:42 A. **That's correct.**
02:52:43 Q. And am I correct that as of December 30th,
02:52:48 2014, you didn't know whether she was paid for that
02:52:50 interview or not?
02:52:51 A. **I wasn't sure. That's right.**
02:52:53 Q. And after December 30th, 2014, the references
02:52:58 to Prince Andrew and Professor Dershowitz generated
02:53:04 international publicity; isn't that true?
02:53:07 A. **Okay. Which -- yes, I mean, in a general**
02:53:11 **sense, I could ask which allegations, but these**
02:53:13 **allegations did generate publicity, certainly.**
02:53:16 Q. Yes. The allegations in your joinder motion
02:53:18 that Prince Andrew and Professor Dershowitz had abused
02:53:24 Virginia Roberts, then known as Jane Doe Number 3,
02:53:26 generated a firestorm of publicity; did it not?
02:53:30 A. **It generated a lot of publicity, yes.**
02:53:32 Q. And within days of that, you were -- you were
02:53:35 participating in attempting to arrange an interview with
02:53:38 ABC News; isn't that true?

02:53:39 A. **That -- within days of -- the chronology is**
02:53:43 **important here: The allegations were filed in this**
02:53:45 **pleading on December 30th. Several days after that,**
02:53:48 **Mr. Dershowitz then took to the airwaves to denounce,**
02:53:53 **not only Brad and me, but -- but particularly of concern**
02:53:56 **to me was Virginia Roberts, this victim of sex**
02:53:58 **trafficking.**
02:53:59 **And, at that point, as one of -- as one of**
02:54:01 **her attorneys, I was looking for a way to respond to**
02:54:05 **that media assault on her by Mr. Dershowitz.**
02:54:09 MR. SIMPSON: Move to strike as
02:54:09 nonresponsive.
02:54:09 BY MR. SIMPSON:
02:54:15 Q. Did -- within 24 hours of this pleading being
02:54:22 filed, there was publicity about the allegations against
02:54:27 Prince Andrew and Mr. Dershowitz -- Professor
02:54:31 Dershowitz; isn't that correct?
02:54:32 A. **I don't know the exact time frame, but**
02:54:34 **that -- you know, roughly that time frame sounds about**
02:54:36 **right.**
02:54:36 Q. If Mr. -- if Professor Dershowitz had never
02:54:39 said anything, wouldn't you expect that these
02:54:42 allegations as to Prince Andrew, in particular, and
02:54:47 Professor Dershowitz would get substantial publicity?
02:54:50 A. **There was -- there was --**

02:54:51 MR. SCAROLA: Excuse me. To the extent the
02:54:53 question calls for speculation, I object.
02:54:55 MR. SIMPSON: No. I'm asking for his state
02:54:57 of mind when he filed this document.
02:54:59 THE WITNESS: There's no doubt that --
02:54:59 MR. SCAROLA: So the question is: At the
02:55:01 time of the filing --
02:55:02 MR. SIMPSON: Please -- please don't coach
02:55:03 the witness.
02:55:03 MR. SCAROLA: No, I'm not coaching him. I
02:55:05 just want to understand the question. You're
02:55:06 asking what his state of mind was at the time of
02:55:09 filing?
02:55:09 MR. SIMPSON: Did he -- did he anticipate --
02:55:09 MR. SCAROLA: Because the other question was:
02:55:11 What do you -- what's your position today.
02:55:13 MR. SIMPSON: Mr. Scarola, really.
02:55:14 MR. SCAROLA: That's -- that's a different
02:55:15 question. So I just want to know which one
02:55:17 you're asking.
02:55:18 Do you want to know his state of mind then,
02:55:21 or his state of mind today?
02:55:23 MR. SIMPSON: I will take that as an
02:55:25 objection to the form of the question.
02:55:25

02:55:25 BY MR. SIMPSON:
02:55:27 Q. As of --
02:55:27 MR. SCAROLA: It's a request for a
02:55:28 clarification of an ambiguous question.
02:55:33 MR. SIMPSON: It's coaching the witness.
02:55:33 BY MR. SIMPSON:
02:55:34 Q. As of --
02:55:34 **A. Yeah, I don't need any coaching. I mean...**
02:55:35 Q. Let me ask the question.
02:55:36 As of December 30th -- that's true -- as
02:55:39 of --
02:55:39 **A. Right --**
02:55:39 Q. -- we agree that's coaching.
02:55:39 **A. -- but that wasn't coaching. That wasn't**
02:55:41 **coaching, so the suggestion that it's coaching is -- is**
02:55:43 **not fair.**
02:55:43 Q. Okay. We disagree.
02:55:46 As of December 30th, 2014, did you anticipate
02:55:52 that naming Prince Andrew in a public filing as having
02:55:58 abused Virginia Roberts would generate substantial
02:56:02 publicity?
02:56:03 **A. "Substantial" is a debatable word, but**
02:56:06 **certainly, it's going to generate publicity, yes.**
02:56:10 **Publicity about the allegations.**
02:56:12 Q. Yes. And -- and the allegations are that

02:56:15 Prince Andrew had sexually abused Virginia Roberts,
02:56:19 correct?
02:56:19 **A. That was one of the allegations in here,**
02:56:21 **sure.**
02:56:21 Q. And the allegations that Professor Dershowitz
02:56:25 had sexually abused Virginia Roberts, correct?
02:56:31 **A. That's right. It was in a -- what we were --**
02:56:32 **what we were starting to document and allege here was**
02:56:35 **that terrible things that Epstein's criminal**
02:56:39 **organization had done.**
02:56:39 Q. Let me refer you to page 6 --
02:56:42 **A. Okay.**
02:56:42 Q. -- of your filing. It's the first full
02:56:48 paragraph.
02:56:48 **A. Yep.**
02:56:49 Q. I'm going to read it. "Epstein also
02:56:51 trafficked Jane Doe Number 3 for sexual purposes to many
02:56:56 other powerful men."
02:56:57 **A. Okay.**
02:56:57 Q. "Including numerous prominent American
02:57:00 politicians, powerful business executives, foreign
02:57:05 presidents, a well-known prime minister, and other world
02:57:10 leaders. Jane -- Epstein required Jane Doe Number 3 to
02:57:15 describe the events that she had with these men so that
02:57:18 he could potentially blackmail them."

02:57:20 Did I read that correctly?
02:57:21 **A. You did.**
02:57:22 Q. With respect to blackmail, the ability to
02:57:28 blackmail, is that the same potential we talked about a
02:57:30 moment ago in your testimony?
02:57:32 **A. Sure.**
02:57:32 Q. And you're referring there to --
02:57:34 **A. Roughly, yeah. I mean, if there's something**
02:57:35 **that you want clarified, go ahead and clarify it.**
02:57:37 Q. I just -- I just wanted to make sure I
02:57:39 understand correctly that when you refer that -- to
02:57:42 Epstein requiring Virginia Roberts to describe these
02:57:44 events so that he could potentially blackmail them, what
02:57:48 you had in mind was, Epstein wanted to know what
02:57:52 Virginia Roberts did with these men so that he had the
02:57:55 ability to threaten to disclose it if they didn't do
02:57:58 what he wanted them to do?
02:57:59 **A. That was -- that was part of it, yes.**
02:58:01 Q. And isn't it true you could have
02:58:04 accomplished -- in terms of furthering Virginia
02:58:07 Roberts's legal interests, you could have accomplished
02:58:10 exactly the same thing by saying Epstein also
02:58:14 trafficked -- trafficked Jane Doe Number 3 for sexual
02:58:18 purposes to other well-known men, period?
02:58:24 **A. No, I don't think so.**

02:58:26 Q. Okay. You felt that it furthered her legal
02:58:30 interests to specify American politicians, powerful
02:58:34 business executives, foreign presidents, a well-known
02:58:38 prime minister and other world leaders; that was your --
02:58:42 you -- you believe that furthered her legal interest?
02:58:43 A. **Yes.**
02:58:43 Q. Did you also anticipate that that would
02:58:47 titillate the Press, so to speak, that there would be a
02:58:49 lot of speculation on who these people are?
02:58:52 A. **That wasn't the -- that wasn't the focus**
02:58:54 **of the -- those comments, no.**
02:58:55 Q. You said it wasn't the focus. Did you
02:58:57 realize it would happen?
02:58:58 A. **Sure. I mean, this was a case that had**
02:59:02 **been already -- this litigation had been going on at**
02:59:02 **that point for seven years and lots of people were**
02:59:04 **following it. This is -- this case is one of the most**
02:59:07 **egregious examples of a violation of Crime Victims'**
02:59:11 **Rights in the history of this country.**
02:59:13 **And so against that context, yes, there were**
02:59:14 **going to be people interested in every word that was**
02:59:16 **going into this pleading. Whether we had gone more**
02:59:19 **broadly or more narrowly than what we did, people were**
02:59:23 **going to be interested in this.**
02:59:23 Q. And as of December 30th of 2014, Miss Roberts

02:59:31 had the same ability to disclose who these individuals
02:59:34 were publicly, as did Jeffrey Epstein, correct, because
02:59:38 she had personal knowledge of who they were?
02:59:40 A. **She had the ability to speak the words, but,**
02:59:42 **again, I think it's preposterous to say that a victim of**
02:59:45 **sex trafficking has the same power as the sex trafficker**
02:59:48 **to disclose information.**
02:59:51 **For example, Virginia Roberts could be**
02:59:52 **attacked, and I think as we were talking about**
02:59:54 **yesterday, we have seen evidence of the kind of attack**
02:59:57 **that powerful people can mount against the victims of**
03:00:01 **sex trafficking. So to say that the young women in sex**
03:00:04 **trafficking schemes have the same power as their**
03:00:07 **traffickers to do this -- I'm sorry. I'm going to have**
03:00:11 **to take a break.**
03:00:12 THE VIDEOGRAPHER: We are going off the video
03:00:14 record, 11:32 a.m.
03:04:14 (Thereupon, a recess was taken.)
03:04:14 THE VIDEOGRAPHER: We are back on the video
03:04:20 record, 11:36 a.m.
03:04:24 BY MR. SIMPSON:
03:04:27 Q. Had you finished your answer, Mr. Cassell?
03:04:28 A. **I think I had.**
03:04:28 Q. Okay.
03:04:29 A. **Thank you. Thank you for letting me take a**

03:04:31 **break. I appreciate that.**
03:04:32 Q. Okay.
03:04:32 MR. SCAROLA: Could you just read back the
03:04:34 last question for me? I just want to orient
03:04:37 myself as to where we are. Thank you.
03:04:37 (Thereupon, a portion of the record was read
03:05:33 by the reporter.)
03:05:33 MR. SCAROLA: Yeah, I didn't I think the
03:05:34 answer was --
03:05:34 THE WITNESS: I guess I was mid-sentence, so
03:05:36 think I will just stick with the same word,
03:05:38 preposterous. And one -- one thing that occurred
03:05:39 to me during the break, in the context of this
03:05:42 case, is that there had been allegations that
03:05:44 Epstein was part of the -- the sex trafficking
03:05:47 organization, had video cameras mounted
03:05:49 throughout many of his -- his mansions. And so,
03:05:52 whereas a young woman could say, or a young girl
03:05:55 could say, look, I was a victim of sex abuse,
03:05:58 people would attack her; people wouldn't believe
03:06:00 her, that unless she had, you know, corroborating
03:06:02 evidence, people would say, well, look, it didn't
03:06:05 happen.
03:06:05 And so Epstein had managed to collect
03:06:08 apparently a lot of videotapes and other kinds of

03:06:11 information that would have been -- given him the
03:06:14 ability to make the blackmail kinds of charges
03:06:15 that the girls that he was trafficking would --
03:06:18 would not have had the ability to do.
03:06:18 BY MR. SIMPSON:
03:06:20 Q. Mr. Cassell, didn't you testify yesterday
03:06:22 that any videotapes from Mr. Epstein's house had been
03:06:27 destroyed?
03:06:28 A. **I -- when I used the word "destroyed," I**
03:06:30 **probably should have been more precise. They had been**
03:06:32 **concealed from law enforcement, is what I meant. That**
03:06:35 **when Palm Beach Police Department went up to the Epstein**
03:06:37 **mansion, they found surveillance cameras and other**
03:06:41 **cameras. I can't remember exactly where the cameras**
03:06:44 **were, but they found surveillance cameras, and when they**
03:06:46 **looked for the tapes associated with those cameras, I**
03:06:50 **used the word "destroyed"; and as I say, I probably**
03:06:50 **should have said they were missing. And so they were**
03:06:52 **never able to locate those -- those missing videotapes.**
03:06:55 Q. So as of December 30th of 2014, to your
03:07:01 knowledge, there were no videotapes available?
03:07:03 A. **There were no videotapes available to law**
03:07:06 **enforcement or to Brad and his pro bono crime victim**
03:07:09 **attorneys to help document our case. We were trying to**
03:07:12 **get those and we are continuing to try to get those,**

03:07:13 **but, obviously, Epstein and his criminal associates have**
03:07:18 **had the ability to -- to destroy the evidence that's**
03:07:21 **been -- that we have been trying to gather.**
03:07:23 Q. And in -- in your answer a couple of
03:07:26 questions --
03:07:27 **A. I -- I'm sorry. I shouldn't say "destroyed."**
03:07:28 **They have been able to conceal would probably be a more**
03:07:30 **accurate term, the -- the evidence that we are trying to**
03:07:33 **gather.**
03:07:33 Q. In my answer -- in my answer --
03:07:33 **A. Yeah.**
03:07:36 Q. -- in the question and answer, your answer to
03:07:38 my question a couple of questions ago, you talked about
03:07:42 whether Mr. Epstein and Virginia Roberts would have the
03:07:46 same or equal ability to disclose --
03:07:49 **A. Right.**
03:07:49 Q. -- what these prominent politicians,
03:07:53 et cetera, had done, correct?
03:07:54 **A. Correct.**
03:07:55 Q. Without attempting to make any comparison,
03:07:59 you would agree, would you not, that as of December
03:08:01 30th, 2014, Miss Roberts had the ability to name the
03:08:07 names of the people who are referenced in this document?
03:08:10 **A. Physical ability, yes.**
03:08:11 Q. And -- well, let me ask this: You say a

03:08:17 well-known prime minister. Is that Prime Minister
03:08:22 Barak?
03:08:22 MS. McCAWLEY: I'm gonna instruct you not to
03:08:25 reveal any attorney/client communications you had
03:08:26 with Virginia Roberts on the specifics of her
03:08:29 counsel to you about these individuals.
03:08:31 BY MR. SIMPSON:
03:08:32 Q. Is one of the other -- one of the powerful
03:08:34 business executives, Les Wexner?
03:08:37 MS. McCAWLEY: Again, same instruction.
03:08:40 BY MR. SIMPSON:
03:08:41 Q. Okay. Now, you mentioned yesterday -- well,
03:08:49 a moment ago, you testified that these -- in your view,
03:08:51 these allegations about other powerful men furthered
03:08:58 Miss Roberts' legal position in the case, correct?
03:09:02 **A. Yes.**
03:09:02 Q. And it's also your position, I assume, that
03:09:10 the allegations regarding Professor Dershowitz and
03:09:14 Prince Andrew furthered Miss Roberts' legal position; is
03:09:21 that right?
03:09:21 **A. Absolutely.**
03:09:21 Q. Does the fact that Judge Marra struck those
03:09:24 allegations as impertinent, scandalous, and completely
03:09:30 irrelevant to the case, cause you to reassess?
03:09:32 MR. SCAROLA: Excuse me. Is that -- is that

03:09:34 intended to be a direct quote?
03:09:36 MR. SIMPSON: Back up.
03:09:37 BY MR. SIMPSON:
03:09:39 Q. What is your understanding of Judge Marra's
03:09:41 ruling with respect to these allegations about Professor
03:09:45 Dershowitz and Prince Andrew?
03:09:46 **A. That they were premature.**
03:09:48 Q. That's your understanding of his order?
03:09:50 **A. Yes.**
03:09:50 Q. Okay.
03:09:54 **A. And I -- maybe I should -- I see some**
03:09:58 **skepticism there, so let me explain why I think those**
03:10:00 **allegations --**
03:10:01 Q. Yeah. Well, we can pull --
03:10:01 **A. -- are appropriate.**
03:10:01 Q. -- we will pull out the order itself --
03:10:01 **A. Sure.**
03:10:05 Q. -- at the appropriate time, but first, your
03:10:05 understanding is that the judge didn't find that those
03:10:09 allegations, at the time they were made, were so
03:10:13 irrelevant to the case, that they should be stricken
03:10:15 from the public record?
03:10:17 **A. In that pleading at that time, remember, we**
03:10:20 **had in our -- our brief -- let me explain the -- the**
03:10:24 **nine reasons why we thought that those allegations were**

03:10:27 **relevant to the case, since I think your question calls**
03:10:28 **for that.**
03:10:29 Q. Are those the nine reasons you gave
03:10:31 yesterday?
03:10:31 **A. No, I didn't have a chance to.**
03:10:32 Q. Are they the nine reasons that are set forth
03:10:34 in your -- in your brief?
03:10:35 **A. They are. Those are the nine reasons that**
03:10:37 **are set forth in the brief.**
03:10:38 Q. Okay. And -- and Judge Marra had that brief
03:10:41 in front of him when he held that, these allegations
03:10:45 were so not relevant to the issues before the court,
03:10:48 that they would be stricken and not part of the public
03:10:52 record?
03:10:52 **A. At that time, in that particular pleading --**
03:10:55 **I think you're mischaracterizing Judge Marra's ruling in**
03:11:00 **its entirety. He specifically said that the allegations**
03:11:01 **could be reasserted, if they were relevant to issues**
03:11:04 **that are -- that were coming up. And so, in following**
03:11:07 **that ruling, we went to the U.S. Attorney's Office,**
03:11:10 **propounded discovery requests and said, look, we believe**
03:11:13 **you're sitting on information that Dershowitz was, you**
03:11:16 **know, connected with the -- with the criminal**
03:11:17 **trafficking here; we would like you to produce those**
03:11:19 **documents.**

03:11:20 And rather than say, hey, we don't have any
03:11:22 such documents, the U.S. Attorney's Office gave us the
03:11:26 response indicating, to our view, that there were such
03:11:27 documents, and as you know, since you're one of
03:11:29 Mr. Dershowitz's attorneys, we have drafted a pleading
03:11:32 now to try and collect that information, that law
03:11:36 enforce -- federal law enforcement agencies have
03:11:39 collected, and -- and to figure out the appropriate way
03:11:42 to litigate that so that we can get that information and
03:11:44 move forward with the case.
03:11:46 That's just one example of -- of how the
03:11:49 allegations, if they were premature at that point, are
03:11:53 no longer going to be premature as the case moves along.
03:11:57 Q. Is it or is it not your understanding that
03:12:01 Judge Marra ruled that the allegations in this pleading
03:12:08 in front of you were so irrelevant to the pleading in
03:12:14 which they were stated, that they should be stricken
03:12:17 from the public record?
03:12:18 A. In that particular pleading at that
03:12:20 particular time, that's right.
03:12:21 Q. Does that cause you to reassess, in any way,
03:12:24 having filed this document?
03:12:25 A. Well, I think certainly as a tactical matter,
03:12:28 we should have reserved the -- the allegations for --
03:12:31 for another motion. I -- I think that's -- you know,

03:12:34 certainly, with the -- you're -- now, we are now sort of
03:12:38 speculating, would we have done something different if
03:12:39 we knew that? And the answer to that is, sure, we would
03:12:41 have tried to do something that Judge Marra thought was
03:12:44 the appropriate way to handle it, so...
03:12:46 Q. And Judge Marra also reminded counsel of
03:12:49 their Rule 11 obligations; didn't he?
03:12:51 A. That's right. Yeah.
03:12:52 Q. And did it cause you to question, not
03:12:57 tactics, but whether you were acting properly in filing
03:13:00 this?
03:13:00 MR. SCAROLA: Excuse me. I --
03:13:02 MR. SIMPSON: I'm just asking if it caused
03:13:03 him to reassess.
03:13:04 MR. SCAROLA: I understand what you're
03:13:05 asking, and you're asking him about his mental
03:13:07 processes in connection with pending litigation.
03:13:12 That's work product. I instruct you not to
03:13:13 answer that question.
03:13:14 BY MR. SIMPSON:
03:13:15 Q. All right. You testified yesterday that one
03:13:19 reason that you found the filing of the complaint on
03:13:27 behalf of Jane Doe 102, who is Virginia Roberts, by
03:13:34 the -- Bob Josefsberg and -- and why that was
03:13:37 significant was that Bob Josefsberg had been selected by

03:13:41 the United States Attorney for the Southern District of
03:13:45 Florida to represent victims, correct?
03:13:48 A. Yes. Through the -- through the NPA, yeah,
03:13:51 there was an apparatus that led to his selection.
03:13:54 Q. And does that answer reflect holding the U.S.
03:14:01 Attorney for the Southern District of Florida in that
03:14:03 office in high regard?
03:14:04 A. Sure.
03:14:05 Q. Do you contend that at the time the United
03:14:11 States Attorney for the Southern District of Florida
03:14:14 negotiated the NPA, they knew that Professor Dershowitz,
03:14:20 himself, had been involved in abuse of minors?
03:14:25 A. I don't know exactly what information they
03:14:27 had. I do know that we have been propounding discovery
03:14:30 requests on all of these subjects, including
03:14:32 Professor Dershowitz's involvement, when the U.S.
03:14:35 Attorney knew. They are asserting privilege over that.
03:14:37 I would wish they would waive the privilege or at least
03:14:39 provide the information to pro bono crime victims'
03:14:43 attorneys that they have, so we can get to the bottom of
03:14:45 this.
03:14:45 But there have been, you know, a nonstop
03:14:47 series of assertions of privilege and other barriers
03:14:49 interposed against us in this case, and I think
03:14:53 inappropriately so, and -- and we have been arguing that

03:14:55 now for a number of years.
03:14:56 Q. Would you agree with me that if the United
03:15:00 States Attorney's Office had been aware that Professor
03:15:04 Dershowitz had engaged in sexual misconduct with minors,
03:15:07 or himself had observed Mr. Epstein do so, that it would
03:15:12 have been improper and unethical for them to let Mr. --
03:15:17 Professor Dershowitz negotiate the terms of the NPA with
03:15:18 them?
03:15:19 A. If they had direct personal knowledge of
03:15:21 that, sure. I mean, the -- the -- but the realities are
03:15:23 a little bit more complicated in that Professor
03:15:26 Dershowitz, over the last couple of days as
03:15:27 frequently -- has frequently used the word "continuum,"
03:15:29 and so if they were certain of that, it absolutely would
03:15:31 have -- would have been unethical.
03:15:33 The question is: Well, what if they had a
03:15:35 suspicion or what if -- you know, a reasonable suspicion
03:15:36 or a possible suspicion. Those are the kinds of
03:15:39 dimensions that you've got to, you know, take into
03:15:42 account in the real world about, you know, what they --
03:15:44 what they would have done.
03:15:50 I mean, it seems pretty clear, for example,
03:15:52 that at some point, you know, later on, they got a black
03:15:55 book in which Professor Dershowitz's name had been
03:15:58 circled. Now, what they did with that information, I --

03:16:00 **I don't know.**
03:16:00 Q. And what they did with the fact that Courtney
03:16:04 Love and Donald Trump were circled, you don't know also,
03:16:06 correct?
03:16:06 **A. That's right. Fair point.**
03:16:07 Q. But somehow it's suspicious as to
03:16:10 Mr. Dershowitz, but not as to anyone else?
03:16:12 MR. SCAROLA: Objection. Argumentative.
03:16:12 THE WITNESS: And I'm -- I'm glad to argue on
03:16:14 that point, let me, because they --
03:16:14 MR. SIMPSON: I'll withdraw the question.
03:16:15 THE WITNESS: All right. Because I would
03:16:16 have a --
03:16:16 MR. SIMPSON: Let --
03:16:17 THE WITNESS: -- a substantial argument on
03:16:18 that.
03:16:20 MR. SIMPSON: I -- I will withdraw the
03:16:20 question.
03:16:20 BY MR. SIMPSON:
03:16:28 Q. With respect, again, to the --
03:16:30 MR. SCAROLA: And I'll withdraw the
03:16:32 objection.
03:16:32 MR. SIMPSON: Thank you.
03:16:33 BY MR. SIMPSON:
03:16:36 Q. At the time that you filed this joinder

03:16:40 motion, Exhibit 2, you knew that the United States
03:16:44 Attorney's Office had denied having any contact -- any
03:16:48 documents reflecting any contact with Prince Andrew;
03:16:51 isn't that true?
03:16:51 **A. They had -- there were -- there were various**
03:16:56 **discovery requests that had been propounded, and I think**
03:16:59 **with regard to one, they had denied, and my recollection**
03:17:01 **is with regard to another, where there had been an**
03:17:04 **assertion of privilege.**
03:17:07 Q. Is it not true, that before December 30th,
03:17:09 2014, in response to a request asking the government:
03:17:15 Are there any documents reflecting contact with -- by
03:17:20 Prince Andrew regarding the NPA, the government
03:17:24 represented, there were none?
03:17:26 **A. That -- with regard to the -- you're talking**
03:17:30 **about RFPs, request for production of documents, I**
03:17:32 **believe that's -- I believe that's correct.**
03:17:33 Q. And on December 30th, 2014, knowing that, you
03:17:38 named Prince Andrew in this motion, correct?
03:17:40 **A. Correct.**
03:17:41 Q. And is it your testimony that you believe
03:17:46 that Prince Andrew somehow attempted to influence the
03:17:52 negotiations of an NPA in the United States as to
03:17:56 Mr. Epstein?
03:17:57 **A. I don't have direct evidence of that, but I**

03:17:59 **certainly believe I have a good-faith basis, along with**
03:18:02 **my co-counsel, to explore that subject, and try to see**
03:18:04 **how someone who is fifth in line to the British Throne**
03:18:07 **might have been able to use the contacts and power that**
03:18:09 **he has to influence a -- a -- a disposition in this --**
03:18:15 **in the Crime Victims' Rights Act case that it would have**
03:18:19 **been favorable to one of his friends and potentially**
03:18:23 **favorable to himself.**
03:18:23 Q. And -- and you have that view,
03:18:25 notwithstanding that the government had represented they
03:18:27 have no record of that?
03:18:30 **A. They didn't -- no, no, no, no. Let's not --**
03:18:31 **not -- let's not slip and try to get me to admit**
03:18:34 **something that is not what the record reflects. The**
03:18:36 **government said they did not have documents. They did**
03:18:38 **not say that they didn't have any information along**
03:18:40 **those lines.**
03:18:41 **To the contrary: They asserted a whole**
03:18:43 **series of privileges every time we tried to get**
03:18:47 **information along these lines. So the fact that they**
03:18:49 **didn't have a letter, signed Prince Andrew, saying,**
03:18:51 **please do the best you can for this convicted sex**
03:18:54 **offender is one thing. That's the request for**
03:18:56 **production of documents.**
03:18:57 **But they never said that they -- they -- that**

03:19:00 **something along these lines had never happened and, to**
03:19:03 **the contrary, we were faced with assertions of privilege**
03:19:07 **over roughly, if I remember correctly, about 10,000**
03:19:08 **pages of documents where a whole host of privileges were**
03:19:11 **being asserted.**
03:19:12 Q. Do you think it's credible that the United
03:19:16 States Attorney's Office would be discussing an NPA with
03:19:20 a member of the British Royal Family?
03:19:22 **A. Not directly, but there certainly are**
03:19:24 **possibilities of surrogates. I -- my -- somebody who is**
03:19:27 **that powerful certainly wouldn't go out at it directly.**
03:19:29 **What they would probably do is try to find the best**
03:19:32 **lawyers they could around the United States and -- and,**
03:19:33 **you know, and some of the, you know, big-named lawyers**
03:19:36 **and try to bring them in there to -- to work a deal.**
03:19:38 **That's, I think, how, you know, we're -- you're**
03:19:42 **asking -- your question is asking for speculation and**
03:19:42 **I'm saying that -- that based on, how would you**
03:19:46 **influence a deal in an American criminal justice system?**
03:19:49 **You go try to get the best defense lawyers you could and**
03:19:52 **see -- you know -- you know, figure out which political**
03:19:54 **party was in power; and try to get people who are**
03:19:58 **well-connected to that political party, things like**
03:19:58 **that.**
03:19:59 **So that's the way that I think somebody might**

03:20:01 **have gone about trying to -- to put pressure for a -- a**
03:20:04 **favorable plea deal.**
03:20:06 Q. And that's what you just referred to as
03:20:08 speculation, correct?
03:20:09 **A. Well, your question said: Well, how would**
03:20:10 **they go do this? And I -- I -- I gave you my answer as**
03:20:14 **to how I think somebody could well do that, yes.**
03:20:16 Q. And -- and your pleading doesn't allege how
03:20:22 someone would do it; it alleges that they did it; isn't
03:20:26 that correct?
03:20:27 **A. Did what?**
03:20:27 Q. Let me -- let me rephrase it.
03:20:29 **A. No. I -- I -- the --**
03:20:30 Q. I -- I withdraw the question.
03:20:30 **A. Yeah.**
03:20:36 Q. We only have about ten minutes here. There
03:20:38 are a couple of things that I --
03:20:38 **A. Sure. Absolutely.**
03:20:41 Q. -- wanted to get before we -- we will come
03:20:41 back to these when we resume. We have a lot more
03:20:43 questions.
03:20:44 **A. Great. I look forward to it.**
03:20:46 MR. SIMPSON: I'm going to ask the reporter
03:20:48 to mark as Exhibit -- what are we up to -- 6,
03:20:55 Exhibit 6, a document bearing Bates stamp numbers

03:21:01 BE-510 through -514.
03:21:01 (Cassell's I.D. Exhibit No. 6 - series of
03:21:01 e-mails, Bates numbered BE-510 - -514 was marked for
03:21:18 identification.)
03:21:18 BY MR. SIMPSON:
03:21:19 Q. I will give that to the witness. And to
03:21:30 identify the document further, it's a series of e-mails,
03:21:36 the most -- the latest one in date being at the top,
03:21:40 which appears to be an e-mail from Paul Cassell to
03:21:44 Jacqueline S. Jesko on Sunday, January 4th, 2015 at
03:21:49 12:48 p.m.
03:21:51 **A. Right.**
03:21:51 Q. My first question is whether you, in fact,
03:21:57 sent this e-mail that -- that this -- had this exchange
03:22:02 of e-mails with Miss Jesco?
03:22:04 **A. Yes.**
03:22:04 Q. And Miss Jesko -- who is Miss Jesko?
03:22:08 **A. She works for -- which -- which -- oh,**
03:22:13 **Nightline. She works for Nightline, yes.**
03:22:15 Q. So she's with ABC News?
03:22:17 **A. I believe that's right, yes.**
03:22:19 Q. And --
03:22:19 **A. I mean, I -- I can't remember. The network**
03:22:22 **wasn't significant to me, but she's with the Nightline**
03:22:25 **program. I knew that was a major program. I don't**

03:22:27 **know -- I can't recall sitting here today whether**
03:22:29 **Nightline, is that an ABC program or NBC or -- or some**
03:22:35 **other network.**
03:22:35 Q. If you look at the exhibit, the e-mail in the
03:22:39 second -- the bottom half of the first page, it has her
03:22:42 e-mail address. Does that -- @abc.com?
03:22:45 **A. Yeah, yeah, yeah. That's good. Thank you.**
03:22:48 Q. So ABC. So in this e-mail on January 4th of
03:22:51 2015, you told Miss Jesko of CBS News [sic] that --
03:22:59 MS. McCAWLEY: ABC. I'm sorry. You said
03:22:59 CBS.
03:22:59 MR. SIMPSON: I'm sorry.
03:22:59 THE WITNESS: There you go.
03:23:00 MS. McCAWLEY: Now, we are really confused.
03:23:00 MR. SIMPSON: I'm sorry. Let me start again,
03:23:04 and thank you.
03:23:05 MS. McCAWLEY: Sure.
03:23:06 BY MR. SIMPSON:
03:23:06 Q. In this e-mail on January 4th, 2015, you told
03:23:10 Miss Jesko of ABC News, quote: I represent, along with
03:23:15 Brad Edwards in Florida, the young woman who was
03:23:18 sexually abused by Prince Andrew and Alan Dershowitz,
03:23:22 period, close quote. Have I quoted that correctly?
03:23:25 **A. You have.**
03:23:25 Q. So is it fair to say that in this e-mail, you

03:23:28 have told ABC News that Mr. -- Professor Dershowitz, in
03:23:33 fact, had abused Virginia Roberts?
03:23:37 **A. No. I think it says that I'm the lawyer who**
03:23:39 **is representing someone who has -- has made those**
03:23:42 **allegations.**
03:23:42 Q. That's how you read this e-mail?
03:23:44 **A. Yes.**
03:23:45 Q. In the e-mail you identified Miss Roberts as:
03:23:49 "The young woman who was sexually abused by
03:23:53 Prince Andrew and Alan Dershowitz."
03:23:55 That doesn't read to you as a statement that
03:24:00 she was abused?
03:24:01 **A. In context, I think it was understood that I**
03:24:03 **was the attorney representing her with that claim.**
03:24:14 MR. DERSHOWITZ: Move on.
03:24:14 BY MR. SIMPSON:
03:24:14 Q. Who --
03:24:15 THE WITNESS: I'm sorry. What was that?
03:24:15 Who -- who was that?
03:24:16 MR. SIMPSON: Who is speaking?
03:24:18 THE WITNESS: I heard somebody say "move on"
03:24:20 or something. Could somebody identify
03:24:23 themselves, please? Did I --
03:24:26 MR. SIMPSON: In any event, I -- I will move
03:24:27 on.

03:24:27 THE WITNESS: Well -- well, who -- I'm sorry.
03:24:30 Who was that? The speaker? I want to know who
03:24:32 is on the line here. Could somebody identify
03:24:34 themselves, please?
03:24:36 If somebody is eavesdropping in my
03:24:37 deposition, I would like to know who it is.
03:24:40 MR. SIMPSON: No one has the call-in number
03:24:42 other than counsel and parties.
03:24:44 THE WITNESS: So --
03:24:45 MR. SIMPSON: To my knowledge.
03:24:46 MR. SCAROLA: Yeah, but that --
03:24:46 THE WITNESS: But who is that person?
03:24:47 MR. SCAROLA: -- that doesn't preclude
03:24:48 someone from sharing that call-in number. And
03:24:50 it is appropriate that anybody on the line
03:24:52 identify themselves.
03:24:58 And if the people on the line refuse to
03:25:01 identify themselves, then it's our intention to
03:25:04 cut off the line, and the people who are
03:25:07 authorized to be on the line can call back in.
03:25:10 MR. SCOTT: I agree with that.
03:25:12 MR. SIMPSON: Could -- could the people on
03:25:12 the line identify themselves?
03:25:17 MR. SCAROLA: Okay --
03:25:17 MR. DERSHOWITZ: Alan Dershowitz.

03:25:17 MR. SCAROLA: -- cut it off.
03:25:17 MS. McCAWLEY: He just -- he just --
03:25:17 THE WITNESS: So he --
03:25:20 MR. SIMPSON: Alan Dershowitz. Anyone else?
03:25:24 MR. SCAROLA: So the only person on the line
03:25:27 is Alan Dershowitz, and it was Mr. Dershowitz who
03:25:29 made the comment "move on"; is that correct?
03:25:32 MR. SIMPSON: Well, he's the only one on the
03:25:34 line. I know -- I've only got three minutes left
03:25:37 here.
03:25:37 MR. SCAROLA: Well, I'll give you three more
03:25:39 minutes. I want to know: Was it Mr. Dershowitz
03:25:41 who made that comment "move on" because if it
03:25:45 wasn't, there's somebody else on the line --
03:25:45 MR. WEINBERG: I -- I --
03:25:47 MR. SCAROLA: -- that refuses to identify
03:25:48 themselves.
03:25:51 MR. WEINBERG: Marty Weinberg for Epstein.
03:25:51 I've been on the line on occasion. I have a mute
03:25:56 button and have said nothing and just kept on
03:25:56 going with no statements on my end.
03:25:56 MR. DERSHOWITZ: It was me who said it. I --
03:25:56 I -- I thought my mute button was on.
03:25:56 THE COURT REPORTER: I can't hear. I can't
03:26:02 hear.

03:26:02 MR. SIMPSON: Okay. I --
03:26:02 THE COURT REPORTER: I can't hear.
03:26:02 MR. SIMPSON: I heard it and I'll -- I'll
03:26:03 repeat it.
03:26:03 MR. SCAROLA: "It was me who said it."
03:26:05 MR. SIMPSON: "And I thought my mute
03:26:06 button" --
03:26:06 MR. SCAROLA: "I thought my" --
03:26:06 MR. SIMPSON: -- "was on."
03:26:06 MR. SCAROLA: -- "mute button was on."
03:26:06 And that was Mr. Dershowitz making that
03:26:09 comment?
03:26:09 MR. SIMPSON: Yes, it was.
03:26:12 MR. SCAROLA: Okay. Thank you.
03:26:12 MR. DERSHOWITZ: I was trying to instruct my
03:26:14 attorney.
03:26:14 MR. SCAROLA: Then we are ready to move on.
03:26:14 BY MR. SIMPSON:
03:26:18 Q. Have you told any -- all right.
03:26:25 Putting aside counsel who are working with
03:26:28 you, and putting aside those who you identified as being
03:26:32 within the common-interest privilege --
03:26:34 **A. Right.**
03:26:34 Q. -- so not those people --
03:26:34 **A. Right.**

03:26:36 Q. -- have you told anyone that Professor
03:26:45 Dershowitz abused Virginia Roberts or any other minor?
03:26:51 **A. No. I've -- what I have tried to say is that**
03:26:53 **I'm representing a young woman who has made those**
03:26:55 **allegations. As an attorney, I'm proud to represent**
03:26:58 **her, proud to present her case in court, proud to**
03:27:02 **present arguments to whoever will listen that she's been**
03:27:06 **sexually abused by various people.**
03:27:07 Q. Okay. And you have spoken with
03:27:09 representatives of the News Media on the record and off
03:27:15 the record about this case; isn't that -- is that not
03:27:17 correct?
03:27:17 **A. Well, on the record, yes; with regard to off**
03:27:21 **the record, there have been some communications that I**
03:27:24 **think now have been turned over to the -- to the**
03:27:26 **defense. So I don't -- I'm not sure if there still**
03:27:29 **remain any off the record -- I suppose probably there**
03:27:32 **are a few, but I would -- I think most of the -- what**
03:27:36 **were originally off-the-record communications have now**
03:27:38 **been provided to -- to the defense time.**
03:27:41 Q. Mr. Cassell, is it not true -- true, that you
03:27:44 have spoken with reporters on what you referred to as
03:27:49 quote, background, close quote?
03:27:50 **A. Yeah. I mean that's different than -- your**
03:27:54 **earlier question was off the record and on the record.**

03:27:57 **There is an intermediate category of**
03:27:58 **background information as well, and I have spoken to**
03:28:01 **some reporters in that capacity, yes.**
03:28:04 Q. And -- and -- and background means that it's
03:28:08 not for attribution, correct?
03:28:10 A. **Right. The background means the reporter can**
03:28:13 **use the information, but shouldn't attribute it to a**
03:28:16 **particular person.**
03:28:17 Q. And, in fact, you have --
03:28:19 A. **Or let me -- let me just clarify. Some**
03:28:21 **time -- well, background, I think, you know, we are now**
03:28:23 **talking about sort of -- when I use the term**
03:28:25 **"background," it would generally mean that this is**
03:28:28 **something maybe that you want to investigate and see if**
03:28:31 **you can confirm in other ways, but it shouldn't be**
03:28:34 **sourced to -- that I shouldn't be quoted directly**
03:28:38 **because they are going to have to find other -- other**
03:28:40 **sources that confirm that same information.**
03:28:42 Q. Okay. And so my question is that it is true
03:28:45 that you have spoken with a number of reporters on
03:28:49 background about Virginia Roberts's allegations in this
03:28:53 case, correct?
03:28:54 A. **Well, a number -- a few, I would say, is**
03:28:56 **probably a more accurate characterization.**
03:29:00 Q. And in any of those background conversations,

03:29:04 did you ever identify Miss Roberts as someone who had
03:29:08 been sexually abused by Mr. -- Professor Dershowitz?
03:29:11 A. **I tried to identify myself as the attorney**
03:29:14 **representing someone who said that she had been sexually**
03:29:18 **abused by Dershowitz. I think you've received -- you**
03:29:20 **know, we can go through -- you know, we have produced, I**
03:29:24 **think, 2,500 pages of discovery. Many of those pages**
03:29:26 **are media communications. And, you know, we can go**
03:29:30 **through, and I think you know that there are a number of**
03:29:33 **examples, many examples, where I have said, I represent**
03:29:35 **a woman who has alleged that... Some verbal formulation**
03:29:40 **along those lines.**
03:29:44 **I mean, attorneys represent victims all the**
03:29:46 **time and -- and I don't think people generally**
03:29:49 **understand when an attorney makes a statement, that the**
03:29:51 **attorney is adopting and vouching for that statement.**
03:29:55 **They are -- they are serving in a representative**
03:29:58 **capacity.**
03:29:59 Q. Have you finished your answer?
03:30:00 A. **I have.**
03:30:01 Q. Okay. Do you -- are you a party to any fee
03:30:06 agreement of any kind that would relate to a possible
03:30:10 recovery from Les Wexner?
03:30:13 MS. McCAWLEY: Objection to the extent that
03:30:15 it reveals any confidential communications with

03:30:17 your client, my client, or any joint defense
03:30:22 communications. You can't reveal that.
03:30:24 THE WITNESS: All right. So I'm going to
03:30:27 follow that instruction and not answer.
03:30:28 BY MR. SIMPSON:
03:30:46 Q. With respect to the -- what's now still
03:30:52 Exhibit 2, the motion for limited intervention --
03:30:56 MR. SCAROLA: Let me just observe for the
03:30:57 record that it's 12:02. I don't think we used
03:31:01 the three minutes that I said I was going to give
03:31:03 you, but we will go to 12:03 anyway.
03:31:10 MR. SIMPSON: This line of questioning will
03:31:11 take a little -- a little time, so --
03:31:14 MR. SCAROLA: Well, what's a "little"? Oh,
03:31:14 so you --
03:31:15 MR. SIMPSON: Five minutes.
03:31:16 MR. SCAROLA: So you prefer to wait then?
03:31:20 MR. SIMPSON: Let me ask -- I can ask you a
03:31:22 few questions here.
03:31:23 THE WITNESS: Sure.
03:31:23 BY MR. SIMPSON:
03:31:24 Q. I'm going to keep going. On the -- this is
03:31:28 your brief actually --
03:31:29 A. **Which --**
03:31:29 Q. -- Exhibit 1.

03:31:30 A. **Which -- let me just make sure which one is**
03:31:33 **it. I have Exhibit 2, but I don't think I have**
03:31:38 **Exhibit 1.**
03:31:39 Q. Oh, I probably have Exhibit 1. Let me give
03:31:41 you Exhibit 1. I will give you 2 back so we don't lose
03:31:44 it --
03:31:44 A. **Okay.**
03:31:45 Q. -- or keep it in front of you with the
03:31:46 others.
03:31:46 A. **Okay. So, now, let's see. Okay. Yeah. I**
03:31:50 **have it.**
03:31:51 Q. In preparing this brief, did you personally
03:32:00 review the citations to the record that were given to
03:32:05 support the factual assertions?
03:32:08 A. **As opposed to somebody else on the legal**
03:32:11 **team?**
03:32:12 Q. Yes. I'm trying to ascertain whether you,
03:32:14 yourself, reviewed citations -- I'm going to be asking
03:32:18 you about a deposition transcript -- citations to the
03:32:22 record evidence that are cited as representing to the
03:32:26 court as supporting the factual assertions?
03:32:29 A. **I mean, I reviewed some, and others. You**
03:32:32 **know, maybe I need to -- this is starting to get into**
03:32:36 **work product. If you're asking, you know, what did Brad**
03:32:38 **do, what did you do, what did the paralegals do --**

03:32:42 Q. Let -- let me ask you a different question
03:32:43 then.
03:32:43 A. **Okay.**
03:32:43 Q. By -- by submitting this brief with your name
03:32:46 signing it, you were representing that the factual
03:32:50 allegations, factual assertions, were support -- are
03:32:54 supported by the record citations that are given for
03:32:58 those, correct?
03:32:58 A. **Yeah. I mean, obviously, when you write a**
03:33:00 **brief, you're -- you're -- you know, you're trying to**
03:33:02 **represent that this is the best product I can come up**
03:33:04 **with.**
03:33:05 **Now, you know, in a 40-page brief did --**
03:33:07 **did -- is there some, you know, error in citation or**
03:33:10 **something like that? I have to -- I'm not perfect. I'm**
03:33:12 **sure that's a possibility, but, you know, I worked hard**
03:33:15 **to try to put together the best product that I could on**
03:33:18 **behalf of Virginia Roberts when I filed this brief.**
03:33:21 Q. And -- and in general, when a lawyer signs a
03:33:24 brief, it's a representation to the court that the
03:33:28 citations to the record support the factual --
03:33:28 A. **Yeah, to the --**
03:33:32 Q. -- propositions given to the court?
03:33:34 A. **Yeah, that's right. To the best of, you**
03:33:36 **know, your ability, sure.**

03:33:37 Q. Take a look if you would at page 29 --
03:33:40 A. **Okay.**
03:33:41 Q. -- the top of the page --
03:33:42 A. **Okay.**
03:33:42 Q. -- the statement: "Jane Doe number 3 came to
03:33:50 the house when Dershowitz was there." And then it's
03:33:53 "Id." which is a citation to the Alessi deposition, page
03:33:56 73, line 18 to 20. Do you see that?
03:33:59 A. **I do.**
03:34:01 Q. So that sentence if I -- do you agree with me
03:34:03 that sentence is representing to the court that Virginia
03:34:08 Roberts came to the Palm Beach house when Professor
03:34:12 Dershowitz was there?
03:34:12 A. **Yes.**
03:34:13 Q. I'm going to read you what's cited for that
03:34:15 proposition. I can show it to you if you like.
03:34:17 A. **I would like to see it because, you know,**
03:34:18 **it's possible I'm off.**
03:34:20 Q. Let me read it for the record.
03:34:22 A. **Sure.**
03:34:22 Q. And I will read what is cited. It's page 73,
03:34:31 lines 22 to 25.
03:34:39 Actually -- I'm -- yeah, I'm sorry. 73, 18
03:34:44 to 20. Line 18:
03:34:51 "Not sure. When Mr. -- Mr. Dershowitz was

03:34:54 visiting?
03:34:55 "Uh-huh. Answer.
03:34:56 "Question: How often did he come?
03:34:59 "Answer: He came pretty -- pretty often. I
03:35:02 would says as least four or five times a year."
03:35:06 And that's what is cited as the support for
03:35:09 the proposition --
03:35:09 A. **I'd -- I would like to look at the document.**
03:35:10 Q. I'm going to give you the document before I
03:35:12 ask you to comment on it.
03:35:15 A. **Sure.**
03:35:15 Q. I will -- I will go beyond what was cited to
03:35:16 the court --
03:35:16 A. **Okay.**
03:35:16 Q. -- to put it in context.
03:35:20 A. **But I mean, there's -- this is a large --**
03:35:22 **well, that's what I'm saying. I would like -- my**
03:35:24 **recollection is that there are number of parties to the**
03:35:26 **Alessi depo --**
03:35:27 Q. No. My -- my only question is in this brief,
03:35:30 the lawyers signing it represented to the court that
03:35:32 this citation supported that factual assertion.
03:35:35 A. **But that's true, yes.**
03:35:36 Q. Okay. I will read it.
03:35:40 "Do you have any recollection of V.R.,

03:35:43 Virginia Roberts, coming to the house when
03:35:44 Prince Andrew was there? Question.
03:35:46 "Answer: It could have been, but I'm not
03:35:49 sure.
03:35:50 "Not sure. When Mr. Dershowitz was visiting?
03:35:53 "Uh-huh.
03:35:54 "How often did he come?
03:35:55 "He came pretty -- he pretty often. I would
03:35:58 says at least four or five times a year."
03:36:00 A. **Okay.**
03:36:01 Q. Do you want to take a look at that?
03:36:02 A. **Yeah.**
03:36:04 MS. RICHARDSON: Page 73.
03:36:04 BY MR. SIMPSON:
03:36:06 Q. Page 73, line -- it's right here (indicating)
03:36:08 if it helps you find it.
03:36:11 A. **Yeah. Okay. All right. That's what those**
03:36:15 **lines say, yes.**
03:36:16 Q. Okay. So my -- my question is: In your
03:36:19 view, as an attorney, does that quotation -- does that
03:36:23 testimony support the assertion that Professor
03:36:27 Dershowitz and Virginia Roberts were in the house at the
03:36:30 same time?
03:36:30 A. **Those -- those lines 18 to --**
03:36:34 Q. And if you want to put it in the context of a

03:36:36 couple of lines above it that do refer to Virginia
03:36:39 Roberts, put it in the context.
03:36:41 My question is: Does that, fairly read,
03:36:46 constitute testimony that Virginia Roberts and Professor
03:36:49 Dershowitz were in the house at the same time?
03:36:51 **A. Those three sentences, three lines.**
03:36:55 Q. What -- yes, what the brief cites.
03:36:57 **A. Those -- those three lines: "Not sure. When**
03:37:03 **Mr. Dershowitz was visiting. Uh-huh. How often did he**
03:37:06 **come?" Those -- those three lines, I agree, that looks**
03:37:10 **like a miscitation there. I agree with you on that.**
03:37:14 Q. And isn't it true that -- first of all,
03:37:16 nothing else is cited in the brief or elsewhere to
03:37:22 support -- put -- put aside.
03:37:23 Other than Virginia Roberts's own testimony,
03:37:26 this is the only evidence that you cited to the court to
03:37:30 support --
03:37:31 **A. No, no, no, no, no. That would require a**
03:37:34 **30-minute answer.**
03:37:34 Q. Okay. I won't ask you a 30-minute answer --
03:37:37 MR. SCAROLA: How about -- how about wrapping
03:37:38 it up then because it's now 12:10.
03:37:41 MR. SIMPSON: I will wrap it up. I have one
03:37:42 more -- one more question.
03:37:43 THE WITNESS: Okay.

03:37:43 BY MR. SIMPSON:
03:37:43 Q. And that is: I just want to confirm that you
03:37:47 do agree with me that what was cited to the court for
03:37:50 the proposition that they were together, in this
03:37:52 sentence, doesn't support that proposition?
03:37:54 **A. I will agree with you that there appears to**
03:37:56 **be a miscitation of the line number -- of the lines 18**
03:38:01 **through 20.**
03:38:02 **Now, you're saying that there is not**
03:38:04 **information outside of 8 -- lines 18 through 20 to**
03:38:08 **support the allegation, and that's going to require a**
03:38:11 **much longer answer.**
03:38:12 Q. I don't want a long answer, but I do want to
03:38:15 clarify. When you say "outside" --
03:38:15 MR. SCAROLA: You also said one more
03:38:15 question.
03:38:15 MR. SIMPSON: Well, I -- let me just finish
03:38:16 this, so we are not going to have this hanging,
03:38:19 because I want to make sure we are communicating.
03:36:21 THE WITNESS: Okay. Sure.
03:38:21 BY MR. SIMPSON:
03:38:22 Q. I understand you're -- you're saying that
03:38:25 there -- there may be evidence --
03:38:26 **A. Yeah.**
03:38:27 Q. -- elsewhere?

03:38:27 **A. The lawyer -- look, this is not the first**
03:38:27 **time --**
03:38:27 Q. I'm not asking the --
03:38:29 **A. -- a lawyer has cited the wrong line number**
03:38:31 **on a transcript or something, and if you're suggesting**
03:38:34 **that -- you know, I will concede that I cited the wrong**
03:38:38 **line number for that particular assertion.**
03:38:41 Q. And this is what I want to clarify: When you
03:38:43 say the wrong line number, if you look at the quotation,
03:38:46 there is, up above -- you cited 18 to 20 -- 22 to 25 --
03:38:46 no, 18 to 20. I'm sorry. You cited 18 to 20 which is
03:38:56 -- do you see that?
03:38:57 **A. I do see 18 to 20, yes.**
03:38:59 Q. And those lines don't refer to Virginia
03:39:01 Roberts coming to the house, correct?
03:39:02 **A. Lines 18 to 20 do not refer to Virginia**
03:39:10 **Roberts -- oh, no, wait a minute. Now, this is --**
03:39:12 **because when I look at it here, line 15:**
03:39:17 "Do you have any recollection of V.R.,
03:39:20 Virginia Roberts, coming to the house when
03:39:21 Prince Andrew was there?"
03:39:23 Answer: "It could have been. I'm not sure.
03:39:25 "Not sure. When Mr. Dershowitz was
03:39:28 visiting?"
03:39:30 So now when I read it, actually, I'm now

03:39:32 going to withdraw my earlier answer, I would -- because
03:39:35 you know, it's getting late in the day. I'm getting a
03:39:37 little fuzzy here. When Mr. Dershowitz was visiting,
03:39:40 uh-huh, could be an affirmative answer read in context
03:39:45 to saying, I don't recall about Prince Andrew, but I do
03:39:47 recall Virginia Roberts being there. And I think when
03:39:49 we unpack the entirety of the deposition, which we don't
03:39:52 have time right now, that the context that I'm
03:39:54 suggesting now would be accurate. So I am not prepared
03:39:57 to say, as I sit here right now, that those were the
03:39:59 wrong line numbers.
03:40:01 Perhaps those are the correct line numbers,
03:40:03 but what I think I should have done was to cite
03:40:05 additional parts of the transcript that would have, in
03:40:10 context, made clear that the assertion was correct.
03:40:14 MR. SCAROLA: With that --
03:40:15 MR. SIMPSON: I -- I just need to finish this
03:40:16 one or two questions, but this is the topic, so
03:40:18 let me finish it.
03:40:19 BY MR. SIMPSON:
03:40:19 Q. Did you ever watch the video --
03:40:19 MR. SCAROLA: Running out of tape --
03:40:19 BY MR. SIMPSON:
03:40:22 Q. -- of the transcript?
03:40:22 MR. SCAROLA: We are also running out of tape

03:40:25 right now.
03:40:26 MR. SIMPSON: I've got --
03:40:26 THE VIDEOGRAPHER: Two minutes.
03:40:28 MR. SIMPSON: Two minutes. All right. That
03:40:28 won't take --
03:40:28 BY MR. SIMPSON:
03:40:29 **Q.** I want you to look at the video of that --
03:40:31 that testimony. Would you play it, please, for the
03:40:33 witness? This is from the videotape of the deposition.
03:40:35 THE WITNESS: I do not want to watch just --
03:40:37 I want to watch -- what -- what I'm seeing here
03:40:42 as I dive into this, I would -- if you're going
03:40:45 to ask me questions about what's in these
03:40:47 particular lines, I want to see -- I want to go
03:40:50 back. I want all of the -- the relevant parts of
03:40:54 Virginia Roberts's testimony played. And I
03:40:56 believe there are approximately four points in
03:40:59 the transcript where she's mentioned, so can we
03:41:00 play all four of those?
03:41:02 MR. SCAROLA: We are not going to do that.
03:41:03 We have run out of time. Per agreement, this was
03:41:05 supposed to stop at noon.
03:41:05 MR. SIMPSON: Okay.
03:41:08 MR. SCAROLA: It is now 12:12, so this
03:41:09 deposition is ended. There were a lot of things

03:41:10 that I would have like to have finished with
03:41:13 Professor Dershowitz and wasn't permitted to do
03:41:14 that. So by agreement, this deposition is now
03:41:17 over.
03:41:18 MR. SIMPSON: It -- it's -- it's ending over
03:41:20 my objection and the witness's --
03:41:21 MR. SCAROLA: I -- I understand that.
03:41:22 MR. SIMPSON: -- the -- I'm going to make my
03:41:23 record.
03:41:23 MR. SCAROLA: Okay.
03:41:24 MR. SIMPSON: -- the witness's refusal to
03:41:25 look at the videotape of the portion of the
03:41:29 deposition that he just characterized in his
03:41:32 testimony as suggesting an affirmative answer to
03:41:35 the question of whether Virginia Roberts and
03:41:38 Professor Dershowitz were there at the same time,
03:41:39 and I will represent --
03:41:40 MR. SCAROLA: That record is clear.
03:41:41 MR. SIMPSON: -- and anyone looking at that
03:41:43 videotape would know, to a moral certainty, that
03:41:46 that was false.
03:41:46 THE WITNESS: Okay. And I -- I want to make
03:41:48 clear that I would be happy to look at
03:41:50 everything. We will do that at another time
03:41:52 perhaps.

03:41:54 MR. SCAROLA: Right.
03:41:54 THE VIDEOGRAPHER: We are going off the video
03:41:55 record, 12:14 p.m.

(Witness excused.)
(Deposition was adjourned.)

DEPOSITION ERRATA SHEET

Assignment no: 220190
BRADLEY J. EDWARDS and PAUL G. CASSELL vs.
ALAN M. DERSHOWITZ

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I have read the entire transcript of my deposition/examination under oath taken in the captioned matter or the same has been read to me, and the same is true and accurate, save and except for changes and/or corrections, if any, as indicated by me on the DEPOSITION ERRATA SHEET hereof, with the understanding that I offer these changes as if still under oath.

Signed on the ______ day of ____________, 2015.

______________________________.
PAUL G. CASSELL

DEPOSITION ERRATA SHEET

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SIGNATURE:____________________DATE:_________, 2015

PAUL G. CASSELL

DEPOSITION ERRATA SHEET

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SIGNATURE:____________________DATE:_________, 2015

PAUL G. CASSELL

CERTIFICATE OF OATH

STATE OF FLORIDA)
COUNTY OF BROWARD)

I, the undersigned authority and Notary Public certify that PAUL G. CASSELL personally appeared before me and was duly sworn on Saturday, the 17th day of October, 2015.

Sworn to before me this 19th day of October, 2015.

____

Theresa Tomaselli, RMR
Notary Public - State of Florida
My Commission No. FF 226528
My Commission Expires 8/27/2019
220190

REPORTER'S CERTIFICATE

I, THERESA TOMASELLI, Registered Merit Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that I was authorized to and did report said deposition in stenotype; and that the foregoing pages are a true and correct transcription of my shorthand notes of said deposition.

I further certify that said deposition was taken at the time and place hereinabove set forth and that the taking of said deposition was commenced and completed as hereinabove set out.

I further certify that I am not an attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of party connected with the action, nor am I financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.

DATED this 19th day of October, 2015.

____
THERESA TOMASELLI
220190

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IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: CACE 15-000072

BRADLEY J. EDWARDS and
PAUL G. CASSELL,

Plaintiffs/Counterclaim Defendants,

vs.

ALAN M. DERSHOWITZ,

Defendant/Counterclaim Plaintiff.

____/

DEFENDANT/COUNTERCLAIM PLAINTIFF ALAN DERSHOWITZ'S MOTION FOR CLARIFICATION OF CONFIDENTIALITY ORDER OR RELIEF FROM THAT ORDER

The transcript of the deposition of non-party Virginia Roberts Giuffre ("Roberts") is currently under seal as a result of the January 12, 2016 Confidentiality Order in this action. Dershowitz seeks clarification that the Confidentiality Order does not preclude him or his counsel from submitting the transcript of the deposition to the Office of the State Attorney, the Office of the United States Attorney, and other appropriate investigative authorities solely for purposes of requesting that those offices consider opening perjury investigations regarding Roberts's testimony. To the extent that the Confidentiality Order precludes such disclosure, Dershowitz requests that the Court modify it to permit the requested disclosure in the public interest.

Roberts has stated in an affidavit originally filed publicly in federal court in what the parties have referred to as the CVRA Action that she was present on Jeffrey Epstein's private island, Little St. James Island, at the same time as former President Clinton. That affidavit was stricken in relevant part from the record by the federal court, but Roberts's counsel filed publicly a pleading in this case contesting Defendant's assertion that her statements in the media regarding meeting former President Clinton were untrue. A copy of the public affidavit filed in the CVRA Action and the excerpted portion of the pleading filed in this action are attached hereto as composite Exhibit A.

Because former President Clinton did not leave office until January of 2001, and Roberts has repeatedly stated in publicly filed affidavits that she "escaped" from Epstein while in Thailand in September of 2002, the alleged meeting with former President Clinton must have taken place between January of 2001 and September of 2002. As explained in the letter attached as Exhibit B, former FBI Director Louis Freeh made a request pursuant to the Freedom of Information Act for documents from the Secret Service regarding Secret Service personnel travelling with former President Clinton to Epstein's private island and the US Virgin Islands. Based on the response by the federal government to this request, and his knowledge of the duties, protocols and operations of security provided to a former President, Mr. Freeh opines in the attached letter that the absence of such records "strongly establishes that former President Clinton was not present on Little St. James Island during the period at issue." If Mr. Freeh's opinion is correct, then Roberts's publicly filed affidavits in which she stated that she met President Clinton on the island during that period are obviously false. Dershowitz intends to bring this public information to the attention of the appropriate authorities.

Separate from the public information, Dershowitz also believes that Roberts gave false testimony at her deposition. The relevant testimony, which Dershowitz intends to provide to the appropriate authorities, is being filed under seal contemporaneously with this motion. In an abundance of caution, Dershowitz and his counsel do not want to disclose this non-public information even to the responsible public officials with a right and need to know without obtaining confirmation from this Court that doing so would not violate the Confidentiality Order or alternatively relief from that Confidentiality Order.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been electronically filed through the Clerk of Broward County by using the Florida Courts eFiling Portal and thus served by electronic mail: jsx@searcylaw.com, mep@searcylaw.com, scarolateam@searcylaw.com to: Jack Scarola, Esq, Searcy Denney Scarola Barnhart & Shipley, P.A., Counsel for Plaintiff, 2139 Palm Beach Lakes Blvd., West Palm Beach, Florida 33409; jonijones@utah.gov to: Joni J. Jones, Esq., Assistant Utah Attorney General, Counsel for Plaintiff Cassell, 160 East 300 South, Salt Lake City, Utah 84114; brad@pathtojustice.com to: Bradley J. Edwards, Esq, Farmer, Jaffe et al, 425 North Andrews Avenue, Suite 2, Ft. Lauderdale, FL 33301; cassellp@law.utah.edu, to: Paul G. Cassell, Esq.,; smccawley@bsfllp.com, sperkins@bsfllp.com, ftleserve@bsfllp.com to: Sigrid S. McCawley, Esq., Boies Schiller & Flexner, LLP, 401 E. Las Olas Blvd, Suite 1200, Ft. Lauderdale, FL 33301, this 29th day of January, 2016.

By: *s/ Thomas E. Scott*
THOMAS E. SCOTT
FBN: 149100
STEVEN R. SAFRA
FBN: 057028

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-80736-CIV-MARRA

JANE DOE #1 and JANE DOE #2,
Petitioners,

vs.

UNITED STATES OF AMERICA,
Respondent.
_________________________________/

DECLARATION OF [redacted]

1. My name is [redacted] and I was born in August, 1983.

2. I am currently 31 years old.

3. I grew up in Palm Beach, Florida. When I was little, I loved animals and wanted to be a veterinarian. But my life took a very different turn when adults began to be interested in having sex with me.

4. In approximately 1999, when I was 15 years old, I met Ghislaine Maxwell. She is the daughter of Robert Maxwell, who had been a wealthy publisher in Britain. Maxwell asked that I come with her to Jeffrey Epstein's mansion for the purposes of teaching me how to perform "massages" and to train me professionally in that area. Soon after that I went to Epstein's home in Palm Beach on El Brillo Way.

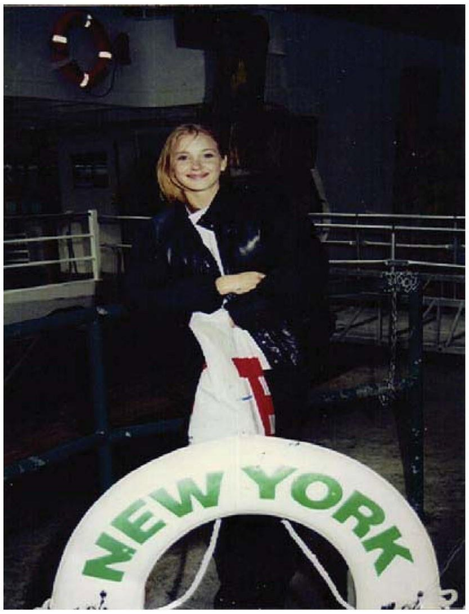
5. From the first time I was taken to Epstein's mansion that day, his motivations and actions were sexual, as were Maxwell's. My father was not allowed inside. I was brought up some stairs. There was a naked guy, Epstein, on the table in the room. Epstein and Maxwell forced me into sexual activity with Epstein. I was 15 years old at the time. He seemed to be in his 40s or 50s. I was paid $200. I was driven home by one of Epstein's employees.

6. I came back for several days following and did the same sorts of sexual things for Epstein.

7. After I did those things for Epstein, he and Maxwell said they were going to have me travel and were going to get an education for me. They were promising me the world, that I would travel with Epstein on his private jet and have a well-paid profession. Epstein said he would eventually match me up with a wealthy person so that I would be "set up" for life.

8. So I started "working" exclusively for Epstein. He took me to New York on his big, private jet. We went to his mansion in New York City. I was shown to my room, a very luxurious room. The mansion was huge. I got scared because it was so big. Epstein brought me to a room with a massage parlor. To me, it looked like an S&M parlor. Epstein made me engage in sexual activities with him there.

9. You can see how young I looked in the photograph below.



10. Epstein took me on a ferry boat on one of the trips to New York City and there he took the picture above. I was approximately 15 or 16 years old at the time.

11. Over the next few weeks, Jeffrey Epstein and Ghislaine Maxwell trained me to do what they wanted, including sexual activities and the use of sexual toys. The training was in New York and Florida, at Epstein's mansions. It was basically every day and was like going to school. I also had to have sex with Epstein many times.

12. I was trained to be "everything a man wanted me to be." It wasn't just sexual training - they wanted me to be able to cater to all the needs of the men they were going to send me to. They said that they loved that I was very compliant and knew how to keep my mouth shut.

13. Epstein and Maxwell also told me that they wanted me to produce things for them in addition to performing sex on the men. They told to me to pay attention to the details about what the men wanted, so I could report back to them.

14. From very early on I was fearful of Epstein. Epstein told me he was a billionaire. I told my mother that I was working for this rich guy, and she said "go, go far away." Epstein had promised me a lot, and I knew if I left I would be in big trouble. I also knew that I was a witness to a lot of illegal and very bad behavior by Epstein and his friends. If I left Epstein, he knew all kinds of powerful people. He could have had me killed or abducted, and I always knew he was capable of that if I did not obey him. He let me know that he knew many people in high places. Speaking about himself, he said "I can get away" with things. I was very scared, particularly since I was a teenager.

15. I visited and traveled with Jeffrey Epstein from 1999 through the summer of 2002, and during that time I stayed with him, as his sex slave, at each of his houses (really more like mansions) in locations including New York City, New York; the area of Santa Fe, New Mexico; Palm Beach, Florida; an island in the U.S. Virgin Islands; and Paris, France. I had sex with him often in these places and also with the various people he demanded that I have sex with. Epstein paid me for many of these sexual encounters. In fact, my only purpose for Epstein, Maxwell and their friends was to be used for sex.

16. To illustrate my connection to these places, I include four photographs taken of me in New Mexico (shown below). The first one is a museum in Santa Fe, New Mexico. We had gone sightseeing for the day. Epstein took this picture of me. I was approximately 17 at the time, judging from the looks of it. At the end of the day we returned to Epstein's Zorro Ranch. The second picture is me on one of Epstein's horses on the ranch in New Mexico. The following two are from wintertime in New Mexico.

17. When I was with him, Epstein had sex with underage girls on a daily basis. His interest in this kind of sex was obvious to the people around him. The activities were so obvious

and bold that anyone spending any significant time at one of Epstein's residences would have clearly been aware of what was going on.

18. Epstein's code word for sexual encounters was that it was a "massage". At times the interaction between Epstein and the girls would start in a massage room setting, it was always a sexual encounter and never just a massage.

19. In addition to constantly finding underage girls to satisfy their personal desires, Epstein and Maxwell also got girls for Epstein's friends and acquaintances. Epstein specifically told me that the reason for him doing this was so that they would "owe him," they would "be in his pocket," and he would "have something on them." I understood him to mean that when someone was in his pocket, they owed him favors. I also understood that Epstein thought he could get leniency if he was ever caught doing anything illegal, or more so that he could escape trouble altogether.

20. Ghislaine Maxwell was heavily involved in the illegal sex. I understood her to be a very powerful person. She used Epstein's money and he used her name and connections to gain power and prestige.

21. One way to describe Maxwell's role was as the "madame." She assumed a position of trust for all the girls, including me. She got me to trust her and Epstein. It turned out that Maxwell was all about sex all the time. She had sex with underage girls virtually every day when I was around her, and she was very forceful.

22. I first had sexual activities with her when I was approximately 15 at the Palm Beach mansion. I had many sexual activities with her over the next several years in Epstein's various residences plus other exotic locations. I had sex with Maxwell in the Virgin Islands,

New Mexico, New York, as well as France and many other locations. I also observed Maxwell have sex with dozens of underage girls.

23. Maxwell took pictures of many of the underage girls. These pictures were sexually explicit. Maxwell kept the pictures on the computers in the various houses. She also made hard copies of these images and displayed them in the various houses. Maxwell had large amounts of child pornography that she personally made. Many times she made me sleep with other girls, some of whom were very young, for purposes of taking sexual pictures.

24. Harvard law professor Alan Dershowitz was around Epstein frequently. Dershowitz was so comfortable with the sex that was going on that he would even come and chat with Epstein while I was giving oral sex to Epstein.

25. I had sexual intercourse with Dershowitz at least six times. The first time was when I was about 16, early on in my servitude to Epstein, and it continued until I was 19.

26. The first time we had sex took place in New York in Epstein's home. It was in Epstein's room (not the massage room). I was approximately 16 years old at the time. I called Dershowitz "Alan." I knew he was a famous professor.

27. The second time that I had sex with Dershowitz was at Epstein's house in Palm Beach. During this encounter, Dershowitz instructed me to both perform oral sex and have sexual intercourse.

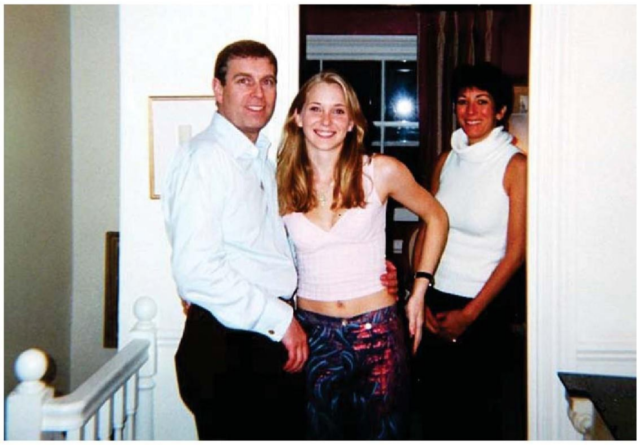
28. I also had sex with Dershowitz at Epstein's Zorro Ranch in New Mexico in the massage room off of the indoor pool area, which was still being painted.

29. We also had sex at Little Saint James Island in the U.S. Virgin Islands. I was asked to give Dershowitz a massage on the beach. Dershowitz then asked me to take him somewhere more private, where we proceeded to have intercourse.

30. Another sexual encounter between me and Dershowitz happened on Epstein's airplane. Another girl was present on the plane with us.

31. I have recently seen a former Harvard law professor identified as Alan Dershowitz on television calling me a "liar." He is lying by denying that he had sex with me. That man is the same man that I had sex with at least six times.

32. Epstein made me have sex with Prince Andrew several times. Prince Andrew, Maxwell, and I are shown in the photograph below. I had sex with him three times, including one orgy. I knew he was a member of the British Royal Family, but I just called him "Andy."



33. One day when I was in London (specifically in a townhouse that is under Maxwell's name), I got news from Maxwell that I would be meeting a prince. Later that day, Epstein told me I was meeting a "major prince." Epstein told me "to exceed" everything I had been taught. He emphasized that whatever Prince Andrew wanted, I was to make sure he got.

34. Eventually Prince Andrew arrived, along with his security guards. The guards then went out of the house and stayed out front in their car. It was just Epstein, Maxwell, and me inside alone with Andy. I was introduced to the Prince, and we kissed formally, cheek to cheek.

There was a lot of legal discussion about Andy and his ex-wife ("Fergie"). Then the discussion turned to me. Maxwell said "guess how old she is." Prince Andrew guessed 17.

35. Then we all went to a Chinese restaurant for dinner and then to Club Tramp, a fancy "members only" night club in central London. Andy arranged for alcohol to be provided to me at the club. Eventually we left. I rode with Epstein and Maxwell back to the townhouse. On the way there, Epstein and Maxwell informed me that the Prince wanted to see "more of me" that night. Andy traveled in a separate car with his guards.

36. We all arrived back at the townhome and went upstairs. Epstein took a picture of me and Andy with my own camera. The picture above is that picture, which has been widely circulated on the internet. Andy has his left arm around my waist and is smiling. The picture was developed on March 13, 2001, and was taken sometime shortly before I had it developed. I was 17 years old at the time.

37. I wanted a picture with the prince because I was keeping in contact with my family. I had told my mom and my grandma that I was meeting Prince Andrew and that I'd take a picture for them. They told me to "be careful."

38. After the picture, Epstein and Maxwell kissed me and said to "have fun." They left Andy and me alone upstairs. We went to the bathroom and bedroom, which were just steps away from where the picture was taken. We engaged in sexual activities there. Afterwards, Andy left quickly with his security.

39. I chatted with Epstein about this the next day. I told him, "it went great." Epstein said something to the effect of, "You did well. The Prince had fun." I felt like I was being graded. It was horrible to have to recount all these events and have to try to meet all these needs

and wants. I told Epstein about Andy's sexual interests in feet. Epstein thought it was very funny. Epstein appeared to be collecting private information about Andy.

40. When I got back from my trip, Epstein paid me more than he had paid me to be with anyone else – approximately $15,000. That money was for what I had done and to keep my mouth shut about "working" with the Prince.

41. The second time I had sex with Prince Andrew was in Epstein's New York mansion in spring 2001. I was 17 at time. Epstein called me down to his office. When I got there, Epstein was there, along with Maxwell, Johanna Sjoberg, and Andy. I was very surprised to see him again. Epstein and Maxwell were making lewd jokes about "Randy Andy".

42. I had the impression that Andy had come there to see Epstein and to have sex me with. There was no other apparent purpose for Andy to be there.

43. I was told to go upstairs with Andy and to go to the room I thought of as the "dungeon" (the massage room, but it is really scary looking). I had sex with Andy there. I was only paid $400 from Epstein for servicing Andy that time.

44. The third time I had sex with Andy was in an orgy on Epstein's private island in the U.S. Virgin Islands. I was around 18 at the time. Epstein, Andy, approximately eight other young girls, and I had sex together. The other girls all seemed and appeared to be under the age of 18 and didn't really speak English. Epstein laughed about the fact they couldn't really communicate, saying that they are the "easiest" girls to get along with. My assumption was that Jean Luc Brunel got the girls from Eastern Europe (as he procured many young foreign girls for Epstein). They were young and European looking and sounding.

45. Afterwards we all had dinner by the cabanas. The other girls were chatting away among themselves, and Epstein and the Prince chatted together. I felt disgusted, and went

quickly to my own cabana that night and went to sleep. Prince Andrew must have flown out early the next morning, as I did not see him when I got up.

46. I have seen Buckingham Palace's recent "emphatic" denial that Prince Andrew had sexual contact with me. That denial is false and hurtful to me. I did have sexual contact with him as I have described here – under oath. Given what he knows and has seen, I was hoping that he would simply voluntarily tell the truth about everything. I hope my attorneys can interview Prince Andrew under oath about the contacts and that he will tell the truth.

47. I also had sexual intercourse with Jean Luc Brunel many times when I was 16 through 19 years old. He was another of Epstein's powerful friends who had many contacts with young girls throughout the world. In fact, his only similarity with Epstein and the only link to their friendship appeared to be that Brunel could get dozens of underage girls and feed Epstein's (and Maxwell's) strong appetite for sex with minors.

48. Brunel ran some kind of modeling agency and appeared to have an arrangement with the U.S. Government where he could get passports or other travel documents for young girls. He would then bring these young girls (girls ranging in age from 12 to 24) to the United States for sexual purposes and farm them out to his friends, including Epstein.

49. Brunel would offer the girls "modeling" jobs. A lot of the girls came from poor countries or poor backgrounds, and he lured them in with a promise of making good money.

50. I had to have sex with Brunel at Little St. James (orgies), Palm Beach, New York City, New Mexico, Paris, the south of France, and California. He did not care about conversation, just sex.

51. Jeffrey Epstein has told me that he has slept with over 1,000 of Brunel's girls, and everything that I have seen confirms this claim. Epstein, Brunel, and Maxwell loved orgies with

kids – that is, having sexual interactions with many young teenagers at the same time. Sometimes as many as ten underage girls would participate in a single orgy with them. I personally observed dozens of these orgies. The orgies happened on Epstein's island in the U.S. Virgin Islands, in New Mexico, Palm Beach, and many other places. Most of the girls did not speak English. It was my understanding that the girls had been persuaded to come by Brunel offering them illegal drugs or a career in modeling. Brunel was one of the main procurers of girls.

52. In addition to Ghislaine Maxwell, [redacted], and [redacted] were also involved in the orgies. At this stage, I am hopeful that these other women will come forward and tell the truth about everything because that will help prevent future similar abuse.

53. I have seen reports saying or implying that I had sex with former President Bill Clinton on Little Saint James Island. Former President Bill Clinton was present on the Island at a time when I was also present on the Island, but I have never had sexual relations with Clinton, nor have I ever claimed to have had such relations. I have never seen him have sexual relations with anyone.

54. I now understand that Epstein reached a non-prosecution agreement with the federal government in 2007 and pled guilty to two state crimes in June 2008. I now know that I was identified by the federal government as one of Epstein's and his co-conspirator's sexually abused victims. However, no one told me about those events until after they happened.

55. On September 3, 2008, the FBI sent a victim notification letter to me. This was the first written communication I had received from the FBI. The letter is attached as Exhibit 1. The letter describes an agreement in which compensation would be made victims of Epstein's

sexual abuse. The letter also said that the federal government was going to "defer federal prosecution." No one had told me about deferring federal prosecution before this.

56. In 2011, two FBI agents, called me in Australia and then came to meet me. They met me at the U.S. Consulate in Sidney. They seemed to be very professional and hard working. I thought to myself, "Wow, these people will do the right thing against the bad guys and protect me."

57. The agents were mainly focused on Epstein but while there I provided them some information about others who were involved in illegal acts as well. I was aware that a false statement to these law enforcement officers was a crime and I told the truth – giving them the information that I could recall about the individuals they inquired about.

58. Epstein also trafficked me for sexual purposes to many other powerful men, including politicians and powerful business executives. Epstein required me to describe the sexual events that I had with these men presumably so that he could potentially blackmail them. I am still very fearful of these men today.

59. I will continue to cooperate fully in the investigation and prosecution of Epstein, Maxwell, or any of their friends who participated in the sexual abuse of minors. I also hope that this information is treated in a way that will keep me safe from Epstein and others criminals identified here so as to encourage more victims of similar crimes to come forward. If these crimes are not prosecuted, despite my volunteering this information and cooperation, then it may deter other similar victims from coming forward.

60. In this affidavit, I have tried to focus on how I was trafficked for sexual purposes. I have not described all of the details of the sexual activities Epstein forced me to have. Also, I have not described all of the details of the other events discussed here. If a judge wants me to

present my information in more detail, including more specific descriptions of the sexual activities with the men Epstein sent me to, I could do so.

61. I have directed my attorneys, Bradley J. Edwards and Paul G. Cassell, to pursue all reasonable and legitimate means to have criminal charges brought against these powerful people for the crimes they have committed against me and other girls. They are representing me in this case pro bono.

62. Since I filed my motion in this case, my credibility has been attacked. I am telling the truth and will not let these attacks prevent me from exposing the truth of how I was trafficked for sex to many powerful people. These powerful people seem to think that they don't have to follow the same rules as everyone else. That is wrong. I hope that by coming forward, I can help expose the problem of sex trafficking and prevent the same sort of abuse and degradation that happened to me from happening to other girls.

63. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 19th day of January, 2015.

(Location of signature left undisclosed for security reasons)

[redacted]

Filing # 33754151 E-Filed 10/27/2015 06:33:15 PM

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

CIVIL DIVISION

CASE NO. CACE 15-000072

BRADLEY J. EDWARDS, and
PAUL G. CASSELL,

Plaintiffs,

v.

ALAN DERSHOWITZ,

Defendant.
_____________________________/

CONSOLIDATED REPLY IN SUPPORT OF NON-PARTY JANE DOE NO. 3[1] AND BOIES, SCHILLER & FLEXNER LLP's MOTIONS TO QUASH OR FOR PROTECTIVE ORDERS REGARDING SUBPOENA SERVED ON THE NON-PARTIES

Defendant served virtually identical subpoenas on non-party Giuffre, and her counsel Boies, Schiller & Flexner LLP ("BSF"). In an effort to conserve judicial resources, the non-parties are submitting a consolidated reply requesting that this Court quash the unreasonable and oppressive subpoenas pursuant to Florida Rules of Civil Procedure 1.410(c)(1), or alternatively, issue protective orders sharply limiting the scope of the abusive subpoenas pursuant to Florida Rules of Civil Procedure 1.280(c).

INTRODUCTION

After publicly stating that his main goal in seeking discovery from Giuffre is to put her in "jail"[2], Defendant served this non-party with a subpoena containing twenty five (25) unreasonable and oppressive requests. It is without question that Giuffre was sexually abused as

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[1] Jane Doe No. 3 is Virginia Roberts Giuffre, and will hereinafter be referred to as "Giuffre."

[2] *See* Exhibit 1, CNN International, New Day, January 6, 2015. *See also* Exhibit 2, Australian Broadcasting System (ABC), January 6, 2015. "**My goal is to bring charges against the client and require her to speak in court.**"

Jeffrey Epstein. Defendant spends over five (5) pages discussing the federal action and eleven (11) of his subpoena Requests (Jane Doe Subpoena 1, 5, 6, 7, 8, 9, 12, 13, 14, 22 and 24; BSF Subpoena 3, 6, 7, 8, 9, 10, 12, 13, 14, 19 and 22) relate to the federal action or Jeffrey Epstein.

For example, Request 24 seeks "All documents concerning, relating or referring to your assertion that you met former President Bill Clinton, former Vice President Al Gore and/or Mary Elizabeth "Tipper" Gore on Little Saint James Island in the U.S. Virgin Islands." Defendant claims that this discovery would go to the issue of whether or not Giuffre is telling the truth about Defendant – but that effort at impeachment is clearly collateral at best and fails to address the central issue in this case. That issue is whether the Defendant had any basis to support his media assault against two lawyers claiming that they fabricated and then publicly filed false charges of criminal conduct on the part of the Defendant. It is the Defendant's credibility and not the credibility of Giuffre that is the focus of this defamation action. Defendant suggests that Giuffre must be a liar because it would be unheard of for one of Epstein's young girls to have met President Clinton. Quite the opposite is true. There are a number of accounts documenting Clinton's regular visits with Epstein. For example, Chauntae Davies recently showed pictures on The Inside Edition program of her travels with other young women in the company of Bill Clinton and Jeffrey Epstein on Epstein's plane. *See* Exhibit 4, *'Lolita Express' Masseuse Reveals Lurid Details from Jeffrey Epstein's Private Plane For the Rich*, Inside Edition, April 27, 2015. The Epstein flight logs also demonstrate that former President Bill Clinton traveled with Jeffrey Epstein and other young women. *See* Exhibit 5, The Gauker, January 22, 2015. All of that information, while no doubt interesting, is irrelevant to the defamation issue before this Court except to the extent it casts doubt on the Defendant's own credibility.

EXHIBIT B

Professor Alan Dershowitz
Harvard Law School
1575 Massachusetts Avenue
Hauser Hall 518
Cambridge, MA 02138

Hon. Louis J. Freeh
Mobile: 202.215.8321
[redacted]

January 22, 2016

RE: FOIA Request

Dear Professor Dershowitz:

As you know, on April 6, 2015, a request was made to the United States Secret Service under the federal Freedom of Information Act (FOIA; 5 U.S.C. Sec. 552), relating to the period 1/01/01 to 1/1/03, for "any and all shift logs, travel records, itineraries, reports and other records for USSS personnel traveling with former President Bill Clinton to Little St. James Island and the US Virgin Islands" (Attachment A).

The basis of the above-described FOIA request was a claim by Virginia Roberts, in court papers filed in early 2015 in Florida federal court, that she and former President Clinton were on Little St. James Island at the same time during the 1/01/01 to 1/1/03 period.

As set forth in a January 16, 2016 letter from Kim E. Campbell, United States Secret service Special Agent In Charge, Freedom of Information Act and Privacy Act Officer, the "USSS has conducted a reasonable search for responsive records. It appears, from a review of USSS main indices, that there are no records pertaining to your request that are referenced in these indices" (Attachment B).

I therefore conclude from this response that former President Clinton did not in fact travel to, nor was he present on, Little St. James Island between January 1, 2001 and January 1, 2003.

Based upon my experience and knowledge of the duties, protocols and operations of USSS Protective Details, the Special Agents accompany and escort former President Clinton 24 hours per day, and would have certainly went with him to Little St. James Island during the period at issue. If the Agents had accompanied the former President to that location, they would had been required to make and file shift logs, travel vouchers and related documentation relating to the visit.

The total absence of any such records and documentation, in my opinion, strongly establishes that former President Clinton was not present on Little St. James Island during the period at issue.

Best Regards,

Louie Freeh

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES SECRET SERVICE
WASHINGTON, D.C. 20223

Freedom of Information Act and Privacy Act Branch
Communications Center
245 Murray Lane, SW, Building T-5
Washington, D.C. 20223

Date: JAN 15 2016

Patti Bescript
3711 Kennett Pike, Suite 130
Wilmington, DE 19807

File Number: 20150826

Dear Requester:

This is the final response to your Freedom of Information Act/Privacy Acts (FOIA/PA) request originally received by the United States Secret Service (USSS) on April 16, 2015, for information pertaining to any and all shift logs, travel records, itineraries, reports, and other records for USSS personnel traveling with former President Bill Clinton to Little St. James Island and the US Virgin Islands.

In response to your request, the USSS has conducted a reasonable search for responsive records. It appears, from a review of USSS main indices, that there are no records pertaining to your request that are referenced in these indices. Enclosed is a copy of your original request.

Alternatively, if you deem our decision an adverse determination, you may exercise your appeal rights. Should you wish to file an administrative appeal, your appeal should be made in writing and received within sixty (60) days of the date of this letter, by writing to: Freedom of Information Appeal, Deputy Director, U.S. Secret Service, Communications Center, 245 Murray Lane, S.W., Building T-5, Washington, D.C. 20223. If you choose to file an administrative appeal, please explain the basis of your appeal and reference the case number listed above.

If you have any questions or would like to discuss this matter, please contact this office at (202) 406-6370. FOIA File No. 20150826 is assigned to your request. Please refer to this file number in all future communication with this office.

Sincerely,

Kim E. Campbell
Special Agent In Charge
Freedom of Information Act & Privacy Act Officer

Enclosure: Copy of Original Request

Patti Bescript
3711 Kennett Pike
Suite 130
Wilmington, DE 19807
302 824 7144

April 6, 2015

Delores Barber
Deputy Chief FOIA Officer, Director, Disclosure & FOIA, The Privacy Office
Department of Homeland Security
Headquarters & Privacy Office
Building 410 - STOP-0655
245 Murray Drive, SW
Washington, DC 20528-0655

FOIA REQUEST

Dear FOIA Officer:

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I request access to and copies of For the period 1/1/01 to 1/1/03, any and all shift logs, travel records, itineraries, reports, and other records for USSS personnel traveling with former President Bill Clinton to Little St James Island and the US Virgin Islands.

I agree to pay reasonable duplication fees for the processing of this request.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

I look forward to your reply within 20 business days, as the statute requires.

Thank you for your assistance.

Sincerely,

Patti Bescript

FREE GROWTH AND OTHER SURPRISES

Draft

Gordon Getty

FOREWORD BY THE AUTHOR

How Come This Book?

A few months ago, Robert Trivers was kind enough to send me his new book. The title is “Wild Life”. Perfect two ways. Bob is a world authority on wildlife, to wit evolutionary biology. But his books and papers about that are already well known. His new one is about his own wild life, with his ideas in the background.

I’ve started my own book three for four times over the past decade. Bob’s got me started again. Try it. It’s Bob’s real voice. One of his papers, co-authored by Huey Newton(!), is about deception and self-deception. I never saw much of either in Bob. I never saw a guy less anxious to impress. Fine if you knew his achievements, and fine if you didn’t. What he wanted to talk about was great new ideas by others. It was from him that I first heard about the Hamilton-Zuk parasite theory, and Paul Ewald’s complementary one about parasites stabilizing population density of hosts. Both are beautiful examples of the obvious-in-hindsight.

I realized that my book could take a cue from his. My own life hasn’t been wild. It has been interesting because the genius of my father gave me interesting places to be and things to do. I could say something about that.

But the book would be mostly about my ideas in economics. Bob’s ideas are well known to anyone in his field. Mine aren’t. I’m ten years older than Bob, without much to show for it except in composition. (My last two operas have been getting some traction, and my SACDs get pretty good radio time.) So I’ll run my economic ideas up the flagpole, in my real voice, and see if they prove deception or self-deception or something worth the time.

Declaring My Biases

I’m a big free market fan. I would love it even if I agreed with socialists that there is something inherently iniquitous about it. There are bad guys and conflicted motives in markets and government both. What I love about it is the chance to prove ideas. I love Wall Street innovations such as swaps and futures and ETFs and mortgage-backed securities, even admitting their dangers. And who would have thought that the San Francisco Bay area, a stronghold of political correctness at the voters' booth, would nonetheless innovate Siri and Alexa and driverless cars, in its free market havens here and there, over the past five years? Remind me the last innovation by a committee. Who would have thought we would make the world's best car, the Tesla, in this labor stronghold? It takes guys who *prefer* the impossible. It takes guys like my father.

Yes, that was J. Paul Getty. I'll declare a bias for him. His faults were just what we read they were. I liked them fine. My times with him, with an exception I'll note in Chapter 1, are some of my favorite memories. I seem to be the opposite of pharaohs who began their reigns by chiseling off their father's names from the monuments and substituting their own. That was something about a ticket to the afterlife. I put my father's name on things I build. The afterlife will come as it comes.

Since this book is about growth first, I should say how I feel about growth. Most economists, which I'm anything but, treat it as a goal. I love innovation, which has translated to growth, while worrying plenty about growth itself. What happens when anyone can make a doomsday weapon on his desktop? Depressed people do away with themselves every day. Some might take the rest of the world with them if they could. Armageddonist religions wouldn't be needed. Not even destructive intentions need be. A doomsday weapon bought at the five and ten might go off by accident.

Then why do I root for innovation when I'm scared stiff about its consequences? Because alternatives are scarier still. Humans will innovate anyhow, while Big Brother or the religious authorities aren't looking, and I don't like the prospects of innovation driven underground. We'll have to find some way to face the risks and manage them. This book doesn't say how. It will open that can of worms, and others too, and try to track some but not all to their destinations. One look leads to another.

This shows that I'm not an optimist in the sense of making rosy predictions. But I seem to show that bias in evaluations. I'm two thirds Panglossian. (Doctor Pangloss was the guy in Voltaire's *Candide* who said that this is the best of all possible worlds.) I side with the good doctor in that I cannot imagine an improvement to this world or to the human race. I see the dangers and evils, such as Armageddonists, as somehow part of the scheme. The world would not be better if it posed no threats and challenges to solve. To solve them is not to wish them away. The stories of Aladdin's lamp and the monkey's paw tell us that each wish after the first is to undo the one before. I think that's what Shaw was telling us in *Don Juan in Hell*. Don Juan and the others are free to go to heaven whenever they like, and occasionally do. They come back because they can't stand the boredom.

Where I find fault, and differ with Pangloss, is as to the doctrines we are taught. Whatever I study, I seem to find a good measure of nonsense taught along with wisdom. This book is about what I find of both in economics. And a problem I try to solve, not wish away, is the danger of losing sight of the points on which Pangloss was right. My verse and music try to remind us.

And I'll admit a bias for the surprises my title promises. I love upending what we had all assumed. Fun! And all the more fun when I can show that famous economists had already seen and said some of the same things I do when we read those economists again. Surprise need not be true novelty. My free growth theory is really John Stuart Mill's, although no one seems to have noticed the paragraph I quote from him. My next generation theory really belongs to my 17th-century rhymesake Sir WilliamPetty, who happens to be my nominee for greatest economist of all time. In a way, I could also credit it to the period of production theorists John Rae, Nassau Senior, William Stanley Jevons and Eugen von Boehm Bawerk. They need only to have considered human and total capital as explained by Petty two centuries before.

This reveals my bias for economic history. It seems dry as a bone until you find something terrific like those insights. It happens that I had written both theories, and published one, decades before I found those great precedents. Should I have been chagrined? Of course not. Forgotten or unnoticed precedents are at least as much fun to point out as the surprises they showed ahead of me.

I will also reveal a bias for evolutionary biology. Its main axiom, the biological imperative, becomes one of mine. The idea is that behaviors are selected for successful reproduction. I will try to show that the classical school treated this as axiomatic from Petty through Smith, Malthus, Ricardo and Mill. Malthus was only the most obvious case. It lapsed from attention when a brilliant new insight called marginalism preferred to do without explanations for tastes.

Above all comes my bias for the great thinkers in those fields. We saw that as to Bob Trivers. Although I often cite them to disagree with them, I see all as giants from whose shoulders I slip in trying to climb. I don't kick sand on 97-pound weaklings. Mill was a *mensch* who gives us all lessons in attribution and generosity, particularly to schools he disputed, and who nonetheless didn't mind being a minority of one in his books or in parliament.

Petty was something beyond. Polymath, self-made tycoon, anatomist, music teacher, father of national accounts, originator of present value theory and human capital and next generation theory, and esteemed by both Adam Smith and Karl Marx for other innovations I don't mention. Such men are understood slowly and incompletely.

CHAPTER 1: RECOLLECTIONS

I never finished a course in economics. I started one at the University of San Francisco sixty years ago, and dropped it when I couldn't see the foundations. But the bug had bitten me. I knew that one day I would try on my own.

I always loved logic. My favorite philosophers at USF were the pre-Socratics who liked nothing better than to confound common sense. A brilliantly vexing example was Zeno the Eleatic and his argument that Achilles can never catch up to the tortoise; Achilles must first reach the line where the tortoise was last, and the tortoise has since moved on. Logic can play such tricks. But I sensed that economics was the place to try its limits. Dropping the course didn't mean giving up, and logic would be the key.

Neither did I take a course in business administration or investment. My major was English literature. As a grade schooler I had asked my father about this. Where and what should I end up studying? He had read economics and petroleum geology at Oxford, and I supposed he would advise something like that for me. I got a surprise. Career-oriented majors were fine but not necessary. A grounding in the liberal arts could be as much or more. The trick was to learn how to learn. That sounded right, and anyhow right for me. So I chose USF, a twenty-minute walk from home until my mother moved us to San Rafael, a half hour drive across the Golden Gate Bridge, and followed my intuitions toward English lit and history and music and philosophy.

I graduated with a degree in English lit in 1956. This was the time of skittish peace between the Korean and Vietnam wars, and the Reserve Forces Act meant I had to report for six months active duty starting in the spring of 57. Meanwhile I worked for my father. I and my brother Paul, later Sir Paul, started at the bottom pumping gas and changing oil at separate gas stations not far from our home in San Rafael. That left time for a few weeks at a bulk plant (oil warehouse and tank farm) in San Francisco, still working at the bottom, before I reported. Paul had served in the

Korean war, and was now exempt. I was a shavetail second lieutenant, thanks to the ROTC program at USF, in the quartermaster branch at Fort Lee, Virginia. My eyesight was never good enough for the combat branches.

Ike, who was then president, had started in the quartermaster too. My military career was not so glorious. Somehow I finished the six months at Fort Lee and seven and half years of inactive duty following, obligating me to one weekend per month at military posts near home, without being promoted even to first lieutenant. By policy, I should have been promoted or busted to the ranks. I later learned that my school chum Manuel Teles, who worked at Fort Presidio in San Francisco, had somehow fixed the record. Thank God for old friends.

My weekends of saluting were postponed when Paul and I went back to work for my father in 1958. My father then lived in the Ritz Hotel in Paris. He liked ordinary two-room suites. The sitting room was his office. His filing system was a steamer trunk. Our job was to sit and listen as he met with executives or art people or old friends. He would usually take us along to lunch and dinner, and wangle us along when he had been invited out. He was the world's most attentive father whenever we were with him, at least, if focused elsewhere when we weren't.

Paul went on to learn refining and marketing in Italy, after those few weeks in Paris, while I went to the oilfields my father had just found and developed in the Neutral Zone between Saudi Arabia and Kuwait. Paul soon learned Italian, became general manager within two years, and ran things well. I learned only a little Arabic, but also became manager in 1959, and soon blundered my way into two weeks' house arrest. I had got crossways with the local emir, Mohammed bin Nasr, not a bad guy, about perks and privileges he and his staff expected Getty Oil to pay for.

The case against me was rigged. One of our junior staff drivers, a Kuwaiti I think, had accidentally rammed and damaged a pipeline. He had fled the country to avoid jail. Jails there were no fun. His supervisor, Jim Kinnell, was warned that he (Jim) was accountable under Saudi law, and would be sent to jail instead. Jim came to me. I realized what was brewing. Laws are flexible, and Jim would have got off with a caution at most if I weren't at odds with the governor. I was obviously next. But I was not about to gamble that the threat to Jim was a bluff. I told him that if I were in his shoes, I would go back to England. He did. That left me. But I was in my shoes. The blunders had been mine, and I would face the music.

My two weeks of house arrest went peacefully. The plain cement-block house had been built for my father at our port camp of Mina Saud when he lived in the Neutral Zone in 1953. The Emir's identical house was a few steps away. My father's favorite maple sugar was still in the fridge. I read the few Shakespeare plays I hadn't read in college, and read or reread the complete poems and plays of John Keats.

The house arrest was probably as much dressing-down as I deserved. Paul, or anyone else, would have handled the perks and privileges more adroitly. But our host country, Saudi Arabia, may have picked up on something too. Getty Oil was not one of the concession companies in the Middle East named in the baksheesh (bribery) scandals that made the front pages over the few years remaining before most concessions were negotiated away and host countries ran things themselves.

Back to my father in Scotland, where he was visiting his old friends the Maxwells near Inverness, and then to the two-room suite at the Ritz in London about like the one in Paris. He drove the six hundred miles between, in a vintage Cadillac, taking two days and stopping to visit historic sites and museums. He needed no guidebook. I sat in on meetings and events everywhere with him in London as in Paris. I assumed that the Saudis had cleared the house arrest with him, and I would have agreed as he did. He too was in different shoes. He was right. He had solved a real problem with minimum damage. Lesson learned, and no hard feelings either way.

It was clear to both of us that I was not cut out to be a line officer, meaning one who runs things from day to day. My mind goes off on tangents instead of tracking arguments in real time. It works for me, but not as an administrator. We decided to try me as a consultant.

That began at my father's Spartan Aircraft Company in Tulsa, Oklahoma. He hadn't meant to buy it. He had bought control of Skelly Oil, centered in Tulsa, and Spartan turned out to be one of its holdings. Then came Pearl Harbor. My father was 48 years old, and had been a yachtsman. He took a navigation course at USC along with kids half his age, led the class, and volunteered for sea duty. His old friend James Forrestal, Secretary of the Navy, steered him to Spartan instead. Spartan could make training planes and could train pilots. My father accepted. He paid himself a salary of one dollar a year.

He had decisions to make when MacArthur and Matzushita signed the peace treaty. The training planes were not meant to leave the ground. Spartan lacked the capacity to make the real thing up to competition. The demand for training planes pretty much ended with the war. My father could sell out or find another use. He decided to make house trailers. It worked. I had lived in a Spartan trailer in the Neutral Zone, like the rest of the senior staff, when I stayed at our Wafra oil field rather than the house at Mina Saud. We and the market had liked them fine.

Herschel Shelton had been one of my father's right-hand men during the conversion to trailers. He said that the place to look for him was never in his office. You would find him in overalls under a trailer on the factory floor, with a welding iron or riveting gun. He liked to be able to do any job his workers did. How else would he know if they were doing it right?

I stayed in my father's house at Spartan, as at Mina Saud. It stood at the opposite end of the runway from the offices and trailer plant. I drove another seasoned Cadillac that my father had left in case he came back. Max Balfour, who ran Spartan, called it a clunker. It clunked me around the countryside on weekends, or to Jamil's restaurant or Cap Balfour's house for dinner, or downtown to the movies or symphony or opera house. Cap (Captain) Balfour had flown in World War I, and showed crippled hands from when his plane caught fire. He was cranky, urbane and razor-sharp. His problem was that Spartan couldn't seem to come out in the black. He worshipped my father, and figured he had let him down. He seems to have brought his moods with him after work, which my father generally didn't. That cost him his sunny young wife. I somehow got a pass. I could understand him, and I was my father's son.

My advice in the end was that my father should sell. Meanwhile I was taking an interest in economics again. Business was about rate of return. Spartan's was negative. What was the benchmark? I did a little study.

It is easy to see that return tends to even out from one company or industry to the next. We pour investment into high-return prospects, and unintentionally drive that high return down toward the norm by expanding the capital denominator. I didn't know that Robert Turgot had written the same in 1766. But what struck me was the impression that return, net of inflation, seemed to revert to a norm over time. Why were interest rates, averaged over business cycles, about the same then as in Dante's time or Julius Ceasar's? Why should human impatience be a steady norm? That puzzle nagged me for about a quarter century until I found the answer. Another decade or two would pass before I learned that Sir William Petty had found it in the seventeenth century.

I went home in 1961 to study harmony and counterpoint at the San Francisco Conservatory of Music. I had found time to compose a few things at the house at Mina Saud with a piano I had bought in Kuwait. They included an *a cappella* (unaccompanied) choral setting of Tennyson's "All Along the Valley", and something to which I later fit Emily Dickenson's poem "Beauty Crowds Me" in my song cycle "The White Election". The composer Charles Haubiel published "All Along the Valley" in his Composers' Press in Los Angeles in 1959. The one change he suggested, an unexpected D flat major resolution, is the best touch in the piece. I had noticed copies in music shops in Tulsa. So it seemed about time to develop that interest too, and the conservatory back home seemed the logical place.

I studied there from fall 1961 through spring 1962. I was probably the only composition student already published. My teacher in both the fall and spring classes was Sol Joseph. He was a legend there. Most of what he taught confirmed my instincts. Maybe five percent was old rules I didn't think much of, and five percent good ideas that hadn't occurred to me. All was useful anyhow as a guide to what leading authorities have thought and taught. That was the point. We were to accept what we liked, and anyhow learn the lingo.

Those two courses covered traditions of the eighteenth and nineteenth centuries. Most composers in the 1960s, and probably some or most of my classmates, thought of that as a stepping stone toward study of the serialism and other atonalism then in vogue. I skipped those classes. I realized that I was a nineteenth-century composer at heart. Now the world seems to have spun back to where I was all along. For most composers now, atonalism is one of the colors on our palettes. Even I use some. So did Bach. We reach for that color when we want to express disorientation or angst. I found I could get more said most of the time with major-minor scales.

Five short piano pieces I wrote then were published by Belwin Mills in 1964. As my father's son, you might imagine that I was asked to pay the costs. Nope. Neither had I paid a cent to Composers' Press. Vanity press exists, but that was not the business model of those two firms. I got standard royalties from sales, not amounting to much, and they got the rest.

Six published pieces by age 31 would not have impressed Mozart or Schubert. By lesser standards, it was a pretty good start. There are distinguished composers who have never found a publisher. Tomorrow the world! I would write operas and symphonies! What happened instead was sixteen years of writer's block, or eighteen since finishing the pieces in 1962. I suppose I was trying to say "Shazam!" and turn into something I wasn't. The ice would break in 1980, when I realized that Billy Batson would have to do. But that gets me ahead of my story.

I married Ann in 1964, making it a banner year on that count even more than the publication, and went back to work for my father. That took us to New York in 1965.

Tidewater Oil Company, which would merge into its parent Getty Oil Company a few years later, had red ink problems in its Eastern Division. My job was to see why. Eastern Division was run by "Jim" Jiminez, an upbeat guy I liked. I don't think he took the red-ink problems home with him as Cap Balfour had. He reported to my half-brother George at corporate headquarters in Los Angeles, and George reported to my father in London. George had earned his job as president by outstanding performance at every level on the way up, which is more than you could say for me in the Neutral Zone. But George was touchy. He had a chip on his shoulder. I think my father liked to ride him, and he sometimes felt unappreciated. You have to shrug that off. George was doing fine. The problem in Eastern Division was not in him, and it was not in Jim Jiminez. Then what?

I looked at the books. The red ink had nothing to do with management. Eastern Division did refining and marketing. Its new refinery in Delaware had been optimized to process heavy Wafra crude oil, which then was over a dollar cheaper per barrel on the market than the lighter and easier-to-refine crude we produced in Texas and the Central Basin. Tidewater's Western Division refinery at Martinez, by contrast, had all the cheap oil it needed in our own San Joaquin field. The Martinez refinery was old, and more expensive to operate. But the net advantage still went to Western Division by about a dollar per barrel. Meanwhile gasoline sold for about a dollar less per barrel, although only two or three cents less per gallon, in the refinery-loaded east than in California.

Management can't do much about import quotas and market conditions. I reported to my father that Eastern Division was at least as well run as Western Division, where the ink was black thanks to cheaper crude and pricier gasoline.

Then could we cut costs or boost receipts in other ways? I proposed that we close our old and inefficient Boston Harbor terminal, where barges unloaded gasoline into our tank farms to be trucked to stations, and supply Boston from our new terminal at Providence two hours' drive away. If that worked, other distribution consolidations seemed possible. I later proposed much the same thing for our operations in Japan, where the new terminal at Kawasaki could theoretically obviate the older and clumsier one in Tokyo Harbor. I realized that plant-closing might be unthinkable in Japan, but thought that something good might come of the idea.

Sometime a little later came my lawsuit against my father. It isn't my happiest memory. There had been a stock dividend years before, when I was still in school. We had treated it a certain way on the books. I read the law as saying it should have been treated another way. The law was probably on my side, and common sense on my father's. Judge Peery wisely found a way to make common sense win in the end. Meanwhile I had accused my father of nothing worse than oversight. My visits to Sutton Place, now with Ann and the boys, went the same as before. The lawsuit seldom came up and was discussed in easy terms when it did. I suggested to him, for example, that he might want to settle with my stepmother Teddy in case there could be claims by the estate of my late half-brother Timmy. He did. Somehow we got through the lawsuit without bad blood. One would not have guessed so much was at stake. The stock dividend had been a huge one. What I learned from my father, then most of all, was perspective. He believed in an even keel. Zeno the Stoic, not the Eleatic, would have met his match.

The lawsuit lasted from 1966 through 1971. In hindsight, thank gosh he won. If I had, tax consequences would have been ugly all around. Again I had learned a lesson, and again there were no hard feelings either way.

I continued to do consulting jobs for him throughout the lawsuit and after. I charged expenses, but no fee. And I didn't pad expenses. If I had, you can believe he would have seen it. I stayed in a single room in the best hotels, ate three squares a day, and paid for anything else myself. I was trying to make the point that I didn't want to be paid. Neither had my father at Spartan during the war. The idea was for me to be of use. I was paid like everyone else when working for my father full-time, but never on consulting jobs.

Those now came once or twice a year, and lasted for a week or two each. Composing was still on the back burner. I was keen on physics, economics, human origins and city planning. It became clear that all but the third needed better math skills than I had. So I bought the Barnes and Noble textbook on College Mathematics, got through it in a week of hard work, and then began on the Johnson and Kiokemeister textbook on calculus along with Halliday and Resnick on physics. Together they took me nearly a year. At the end, I was allowed to sit in on the freshman physics finals at Cal Berkeley, where the same two textbooks were taught.

It was the finals for physics majors, and meant to be tough. Cal took physics seriously. Not every freshman was destined to go farther. Some should be steered towards engineering, which pays better anyhow. There were 10 questions. Three hours were allowed. Each of us had a calculator and nothing else. Not even a table of integrals. My God. I had to remember them or rederive them. There are some that had taken even Newton and Leibnitz months to solve. I don't remember any of the questions. There were 200 to 300 kids in the room. Maybe 20 or 30 orientals, about three women, no blacks. Not one finished early. And some figure to be Nobelists by now. We're talking about Cal. I had answered seven questions when the three hours were up. Was that good enough? I got a call in a few days. I passed, and beat the class average.

My old friend Matt Kelly warned me about this time that George was in trouble. Matt had known George's new wife Jackie, and had been invited to dinner there. Matt's impression was of out-of-control mood changes. He said that George at one point had drawn him aside, shown a pistol and warned him about paying too much attention to Jackie. The next minute they were back at the table in jolly spirits. I learned later what was wrong. George thought he had a weight problem, although I never noticed one. Doctors prescribed amphetamines in those days to control appetite. They revved him up and made it hard to sleep at night. So the same doctors prescribed barbiturates at night to get him to sleep. Uppers and downers are dangerous enough. Add a drink or two and you've got trouble.

Of course I should have told my father. But I didn't want to be the one. I liked to boost my brothers. Many must have seen the symptoms Matt saw. Let them break the news. But the others must have felt as I did. We waited too long. I got a phone call in 1973. George had died at Mount Sinai Hospital. There was an empty bottle of sleeping pills.

My father's death came in 1976. Ann and I had got word it was coming a few weeks before. We were there. So was Norris Bramblett, an accountant who had worked for my father since I was in school. My father trusted him. So did I. He had only a fourth grade education, but a PHD's worth of character and sense. My father, Zeno the Stoic when things got tough, cracked jokes to the end. Norris alone could understand him by then. He translated patiently. My father was giving me one more lesson. He lapsed into a coma. Ann and I were called down from our bedroom when he died.

That left me and Lansing Hays co-trustees of the trust controlling his companies. Lansing ran the law firm that handled nearly all my father's business and little else. It was a big job. Lansing was smart, abrasive, and dead honest. He didn't mind hurting people's feelings. I was not immune. It didn't matter. It wouldn't have mattered to my father. What mattered was that Lansing knew what trust meant, and put the Trust first. That's what I cared about.

Lansing was already on the Getty Oil board. I was invited to join too. We met four times a year, most often in Los Angeles. Harold Berg, an oil engineer from Colorado, had become CEO (chief executive officer) and chairman after George died. Sid Petersen, an accountant, was COO (chief operating officer). Harold was a warmer and more approachable personality. That's what you'd expect in an oilfield guy. Sid was reserved and analytical. That's what you might expect from an accountant, although Norris Bramblett fit anything but the stereotype. Harold and Sid were both clearly well chosen. Neither then nor later did I doubt that Getty was run at least as well as its big oil rivals.

The board too were top people. But trouble was brewing. The trust, meaning Lansing and I, owned about 43% of the shares. The Getty Museum, also chaired by Harold, owned another 11%. Boards and managers prefer scattered ownership, so that they can operate more freely. Second-best would be concentration in docile hands happy to follow the board's guidance. But my father had made it clear to Lansing and me that we were to trust our judgment. We should be ready "to vote the management in and out." Since stockholders elect boards and boards hire managers, that meant to vote the board in and out.

No wonder they were concerned. Lansing and I were both boat-rockers. Wouldn't it be safer if there were a corporate co-trustee? These are usually safety-minded banks, and many banks did business with Getty Oil.

Concerns rose when Lansing died in 1972. That left me as the sole trustee. I was less obstreperous than Lansing, but also less predictable. Hostile takeovers were common then, where bids are made directly to shareholders rather than cleared through the board. Getty was rich in oil reserves per dollar of share price. It could be a target. Board members tend to feel that they know stockholders' interests best, and that the angels are on the side of "friendly" or board-approved takeovers if any at all. Stockholders don't necessarily feel that way.

Temperatures rose when I pushed serious study of the possibility of taking Getty private. The idea was to give up our corporate structure to escape the corporate double tax. Management and its investment banker, Goldman Sachs, advised against. I now think they were right, although my idea had good precedents. I pressed on, unwisely, by trying to convince the Museum to back me. They had better sense.

It was time to heal the breach. Marty Lipton of Wachtell, Lipton, a top mergers and acquisitions law firm, represented the Museum. He proposed a moratorium (the "tripartite agreement") where the Trust, Museum and company would hold the status quo for one year. Harold Berg had retired as chairman of Getty Oil, and Sid was now chairman and CEO. His COO was Bob Miller, a keen petroleum engineer. Harold Berg still chaired the Museum, although Harold Williams was its CEO and main voice. We all signed. But Getty Oil had its fingers crossed. A few days later, the company petitioned the court to appoint a co-trustee. It proposed Bank of America. B of A's chairman, Chauncey Medberry, sat on the Getty Oil board. Paul and George's daughters joined the plaintiffs.

The Museum was more outraged than I was. Marty felt that he had been used. He and Harold Williams, a business-savvy guy who had chaired the SEC under Jimmy Carter, realized that if I could be hog-tied, the Museum with its 11% was the next domino.

This was in November of 1983. Within a few weeks, the Museum and I signed a "consent of shareholders" taking over the company. The required public disclosure of this, on top of the tripartite agreement and co-trustee lawsuit before, was blood in the water.

Pennzoil launched a hostile takeover bid in December. My concern was that the trust should not be locked in a minority position. I met with Pennzoil in New York. We resolved that to my satisfaction. The Getty Oil board met, also in New York, on January fourth. The mood was not sunny. Harold Stuart, one of the brightest and finest board members, assumed that I had invited the Pennzoil bid. Chauncey Medberry thought I should be sued. But Sid and the board acted responsibly overall. We countered with a higher price, Pennzoil accepted, and we went home thinking we had a deal.

Texaco offered a higher bid two days later. Was Getty Oil already bound to Pennzoil? Its lawyers and mine said it wasn't until the final agreement was signed. I had my doubts. But I liked Texaco's offer better, and my duty was clear. The Trust and Museum would be paid cash for their shares, rather than locked in. I had insisted on language in the Pennzoil agreement that bound me only as "consistent with my fiduciary duty." My duty, in the light of legal advice, was to accept Texaco's offer. I did, and voted the same way as a member of Getty's and the Museum's board. Those were fiduciary duties too.

Pennzoil sued Texaco, and eventually won punitive damages of some eleven billion dollars. The Museum and Trust had cashed out. We were not parties. The Pennzoil and Texaco filings both spoke well of me. But there was still the lawsuit seeking a corporate co-trustee. That would have been very dangerous before the sale to Texaco cashed us out. A corporate co-trustee might well have assented to "corporate defenses" blocking a sale and effectively locking the trust in a minority position. But now that danger was over. The remaining plaintiffs were my three nieces and Paul. I couldn't blame them. How could a corporate co-trustee hurt?

But I was still worried. I now wanted to split up the trust into four separate ones for my family, Paul's, George's, and my other half-brother Ronnie's. Corporate co-trustees tend to prefer the safety of acting only as required, and anyhow might not be keen to vote themselves out of a job.

Were Paul and my nieces mad at me? Believe it. Lawsuits get that way. Lawyers on both sides say nasty things. That lasted because splitting the Trust took time. The math was easy, but the legal precedents were vague. My lawyer, Mose Lasky, thought we needed new California law. Plaintiff's counsel didn't think so. I was accused of stalling. Someone had the bright idea to approach Willy Brown as Speaker of the Senate. The law Mose wanted had already worked in other states, and Willy liked it. He pushed it through. Problem solved. The Trust was split into four in 1988, and an unhappy chapter ended. My nieces and I are as close as ever. So were Paul and I until his death in 2002.

My interests by the time of the split were composing, verse, economics, human origins and evolutionary biology. Composing was going pretty well. My writer's block had melted away in the summer of 1980. Ann and I and the boys were in Paris then. We wandered into Smith's English language bookstore. I bought the Thomas Johnson variorum of Emily Dickenson's 1800-odd poems. "Variorum" means including Emily's own variations when she mailed the same poem to different people, or put a copy in the chest at the foot of her bed.

I read them all over the next two days. Emily had been one of my favorites at USF. She died in 1886. She had published only eleven poems. Squabbles among the heirs delayed publication of about half the rest until Johnson published them in 1959, three years after I graduated. Many already published had been "bowdlerized" to fit conventional rhyme and grammar. Johnson gave us the real McCoy from her manuscripts. All was new to me.

I had no piano in our hotel room in Paris, but set a few of the poems in my head to write down later. More followed. One of her poems I didn't set begins "Mine by the right of the white election…" Election meant choice. Her white smock hangs today by her bed in Amherst where she was born and died. White is the color of weddings and burials. Her choice, I think, was a death marriage to the reverend Charles Wadsworth of the Arch Street Church in Philadelphia. He was happily married. She met him about three times in her life. I would tell her story in 31 of her poems, one in two different settings, in my cycle "The White Election."

It was completed in 1981, and broadcast on National Public Radio two years later. It seems to have made a good impression. Slava Rostropovich had kind words, and invited me to write something for cello and orchestra that he could schedule on his upcoming tour in Russia. Placido Domingo invited me to write a song for him. Renata Scotto wanted me to choose five or so of the White Election songs that she could include in her concerts. All were big opportunities. Somehow none happened. Other stuff was coming out the pipeline.

That included my opera "Plump Jack." Here I would tell the rise and fall of Falstaff in Shakespeare's Henry the Fourth and Fifth. This was riskier. Now the accompaniment would be orchestra, not piano, and I had no background in orchestration. Composing and orchestrating are not the same. Composing is like writing a play, and orchestration is like casting the play. There are composers that don't orchestrate, and orchestrators who don't compose. Most of us do both. I always did my own orchestration because no one else would know what I wanted. I gradually learned from my mistakes. Now I can probably hold my own in orchestration, although many do that better.

Plump Jack was completed scene by scene over some twenty years. I would think it was finished, and then decide it wasn't. My next two operas, each running about an hour, would be composed much faster. I set "Usher House" to my earlier libretto based on Poe's story in about six weeks in 2008 and 2009. "The Canterville Ghost", on Wilde's short story, took me about two weeks each, with two months between, for libretto, composition and orchestration. The last two operas have been premiered at major opera houses. *Usher House* ran again at San Francisco Opera. Upcoming performance of the "scare pair", meaning *Usher* and *Canterville* as a double bill, have been announced in other cities. Plump Jack is still waiting its turn.

My interest in human origins led me to the Leakey Foundation. I had read about Louis Leakey in the papers, and had met him a few times in Las Angeles and San Francisco. Brilliant, courtly, fierce. He let you know what was wrong. I became a fellow in 1973, a trustee the next year and chairman the next.

Clark Howell, who taught anthropology at Berkeley, chaired our science committee. His co-chair was Dave Hamburg, a Stanford psychology professor who specialized in great ape studies or primatology. Most leading scientists in either field were members or regular advisors. They recommended grants, and we trustees funded them. We took a venture capital role, usually making grants of a few thousand dollars to promising new prospects rather than bigger amounts to steady-state projects already proved. Those proved ones included Jane Goodall's chimp studies at Gombe or Richard Leakey's digs at Lake Turkana. National Geographic, or the Wenner Gren or World Wildlife or National Science Foundations tended to fund the known winners. We're a lot bigger now. I am one of the few living links to those great people and times. We've evolved with the science. But we stick to the venture capital role.

That always left time to organize lectures and symposia. A few of us including Nancy Pelosi, long before she tried politics, put together an all-star two-day symposium at the Palace of Fine Arts in the San Francisco Marina district in 1973. Tickets sold out, and hundreds watched on screens set up in the lobby. Julian Huxley regretted, but sent his good wishes on tape. The octogenarian Raymond Dart recounted his discovery of *australopithecus africanus* at Taung cave near Johannesburg in 1924. Louis Leakey had died the year before, but his equally legendary widow Mary updated us on the digs at Olduvai. Dick Hay filled us in on the geology there. Jane Goodall gave the news from Gombe. Dave Hamburg reported on the new chimpanzee compound near the linear reaction at Stanford. Clark Howell briefed us on his work at Torralba and Ambrona in Spain, where our ancestors half our size had hunted elephants twice the size of modern ones. (Elephants go back at least as far as mammoths and mastodons.) Desmond Clark covered African archaeology in general and his discoveries at Kalambo Falls in particular. Sherry Washburn showed the way in which our DNA is 98% the same as a chimp's. All were my close friends.

It was at a symposium in 1974, in Washington I believe, that I first heard and met Irv DeVore. His talk was on evolutionary biology and Hamilton's rule. Both were new to me. Irv was a champion speaker. Students packed his anthropology classes at Harvard. He became a Leakey stalwart and a particularly close friend.

I liked his topic. Genes code for traits, and traits more adaptive to niche pressures are likelier to carry the genes that encode them into the next generation. The likeliness is "fitness". A beauty of this is that you can predict traits from the environment (niche), and the environment from traits. That promised the kind of logical challenge that I loved.

Survival of the fittest was not news to us. What was news was that bright scientists like Irv were specializing in that logic, and making testable predictions for creatures generally, humans included, rather than sticking to the groups they studied most. That meant people I could talk to.

Hamilton's rule was put up as the prime example. It starts from the principle that the end game in biology is investment in the next generation. Hamilton had reasoned in 1965 that genes coding for most efficient investment in closest kin, who were likeliest to carry copies of those genes, ought to leave most copies in the next generation. We would invest in them when consanguinity was greater than cost/benefit ratio measured in fitness given up and fitness gained at the other end.

I didn't like this. Something was missing. The logic was seductive. But Achilles *does* overtake the tortoise. Traits compete, like those racers, for niche space. The winner is the fittest at meeting needs of the niche. Hamilton's rule seemed to leave that out.

It got Darwinism backward. Darwin's idea was that the best-adapted leave most progeny, not that leaving most progeny or other close kin somehow bootstraps itself into adaptiveness.

The math of Hamilton's rule didn't work either. In diploids like us, where each parent carries two sets of chromosomes, closest relatedness without inbreeding is ½. That meant that fitness would have to double or more with each generation. The reason is that fitness not expected to be transmitted to successors would be a contradiction in terms. If it cannot be transmitted (invested) at less than a 2:1 efficiency ratio (benefit/cost ratio), then it must be expected to double or more with each reinvestment. But aardvarks and flatfish aren't 1024 times fitter than their ancestors of ten generations ago. They aren't even a smidgen fitter, by any measure of fitness known to me, unless the population has grown. Population growth in nature usually fluctuates around zero.

But his rule was right in important ways. Nepotism is common in nature. The Trust passed my father's wealth to direct descendants. Most wills do, or favor nephews and nieces as a secondary choice. Chimp mothers maneuver to push their offspring up the social ladder. Worker ants and bees, who don't breed, push the chances of their younger half-sisters. Hamilton's rule was clearly a good rule of thumb, even though the math needed tuning. Why should it usually work? I couldn't know then that Hamilton himself would find the biggest missing piece of the puzzle in 1982.

Economics was always somewhere on my screen. It was the biggest challenge because I had to reinvent it from scratch. I had dropped the course at USF because I couldn't find the foundations. But we don't build a foundation without knowing what we want to top. I had to reinvent everything at once. Does that mean I thought I was best qualified for such a task? No. Plenty of people are better at logic than I am. Rather I seemed to be the only volunteer.

Explicit economic axioms are seen as a nineteenth century thing. There are implicit ones to a degree. Macroeconomics is said to rest on microeconomics, and microeconomics on the logic of supply and demand. Good so far. But I felt the need of a logical context for those. Too darned much was being taken for granted. What do we really want from economics? As we gradually figure that out, we can figure out the most efficient vocabulary for description and prediction. That's was what Newton did. I didn't like the lazy assumption that those problems had already been solved.

Newton lucked out in that old words like mass, force and energy would mostly do if he gave them exact definitions within their usual ranges of meanings. Brand new terms would have made tougher reading, and his *Principia Mathematica* was tough enough in 1687. I had the same luck in the end. But I didn't know that until I had collected textbooks and economic dictionaries, along with most books on economic history I could find, and meanwhile worked out what I thought the right vocabulary ought to be. We pretty well have to solve every section of the jigsaw puzzle at the same time. I'm my father's son, by the way, and balked at the three-figures prices of some of those textbooks, even though I might fork up as much for a bottle of wine.

My ideas on growth theory and capital theory (explaining rates of interest and return) will get plenty of coverage later. It happens I have also taken a lifelong interest in banks and money theory. This book isn't about that directly. But banks and money are part of the story of growth and interest, and anyhow are worth attention in themselves.

Money has been defined elegantly in terms of what we want from it. We want a measure of value and a medium of exchange. The qualities to give those things are "moneyness". Money should be "transportable", for one, in that we don't really want to lug bags of wampum around. It should be stable in value, so that we can contract over the future with least uncertainty. It should have the same value in different places as well as at different times, to minimize the nuisance of conversion. There should be enough of it that shortage doesn't drive us to the clumsiness of barter. It should be "divisible" into tiny units, as hundred-dollar bills into tens and ones and pennies, for exact payment with nothing owed back. It should be fungible in that one unit, say dollar, is worth exactly the same as another. Most essential of all, money should be something actually and reliably valued.

What meets all these criteria? Gold has been a contender since ancient times. But how reliable is its value? Spain and Portugal stockpiled gold and silver from the new world for two centuries, and bought nothing but inflation for their trouble. Gold is good for filling teeth, and for displaying status so long as it is rare. Then what is better?

Two brilliant and dangerous adventurers, the Scotsman John Law and the Irishman Richard Cantillon, proposed land. France in 1720 had no new world mines, and needed money. It had plenty of land in Mississippi. Law and Cantillon put two and two together. I think they sincerely believed their advice to The Duke D'Orleans, the regent after the death of Louis XIV, that land could be the most reliable basis of value then known. More than that, I think they were probably right. But it wasn't reliable enough. Early investors in paper rights to the land had made a mint as others crowded in. Market euphoria led to more paper rights than underlying value. You've heard that one before. Law and Cantillon saw the crash coming. It would be called the "Mississippi bubble". Cantillon sold out just in time. Law preferred to face the music, as I would in the Neutral Zone a quarter millennium later. Land wasn't the answer.

I can't call Law and Cantillon good guys like the emir. Both seem to have committed murder for money, Law long before and Cantillon long after, in scandals in London having nothing to do with the bubble. But they had good days. Cantillon's book, which I know only from descriptions by economic historians, seems to be a masterpiece of the obvious-in-hindsight. Law went down with the ship, like a mensch, and seems to have kept the trust and friendship of many backers he had bankrupted. I mention the plusses of these two men to remind us that the truth is seldom black and white, and to mitigate the folly of the French in trusting them.

Money today, in the United States and elsewhere, is not backed by any commodity. It is "government fiat money" backed by the taxing power of government. That may be the best solution tried so far. The value behind the taxing power is the total capital of the nation, meaning human as well as physical capital. And the dollar has proved pretty stable since Paul Volker's tough reforms in the early 1980s. That means that government fiat money in this county is working about as well as anything we have known.

But there are problems. Government tools for stabilizing government fiat money, which has no value in itself, are limited to control of its supply. The tools are monetary and financial policy. Monetary policy is mostly "open market operations" where government sells bonds to soak up excess money, and buys them back again to put money back in the system. You can also raise or lower Central Bank interest rates to get the same effects. Fiscal policy trims money supply by raising taxes and cutting government expense, and pumps money back into people's hands by lowering taxes and raising government expense. Monetary policy is the tool of choice because it has acted must faster. But either policy, or any mix, is a tightrope walk. Too much money courts inflation by motivating people to spend rather than save. Too little courts recession by motivating the opposite. That's why macroeconomics is said to rest on microeconomics. Are we wise to push our luck on that tightrope forever?

Another problem is that our current money system may depend too much on banks. Banks buy and sell back the government bonds, for example, and create the money they lend by writing it into the borrower's checking account and booking the promissory note as value received in return. The problem is that banks are failure-prone. I mean plain commercial banks which do nothing but accept deposits and make loans, not the still more dangerous commercial/investment hybrids which rose and fell after repeal of the Glass-Steagle Act.

The danger is leverage. Depositors must be attracted at some cost, say checking services. Borrowers must be attracted at a rate covering those costs to give profit in the first place. Then equity investors must be attracted at an equity rate, generally higher because equity imposes risk. These rates and costs are market givens rather than what the bank decides. Then how can profit from lending rates, watered down by costs of attracting depositors, translate into higher equity rates?

Easily, but dangerously. That's where the leverage comes in. If the amount borrowed is much larger than the *amount* invested as equity, absolute profit from borrowing might be large compared to the amount invested. If hens lay only one egg per day, but I own three hens, then I can eat three eggs a day.

More money lent out, compared to equity invested, presupposes more deposits to lend. The leverage needed, or deposits/equity ratio in the bank's case, works out to equal the market equity return for investments of equal risk, divided by the market borrowing rate for loans of such term and risk, net of expense percent including costs of attracting depositors. This has tended to pencil out at about ten to one.

Firms in general are considered risky when leverage (debt/equity in that case) reaches one to one. Four to six is more typical. Not ten to one. Banks invest in loans, which are safer. But not ten times safer. Few people today would risk their money in bank deposits without federal deposit insurance. My own reading of history finds that deposit-and-lend banks have failed systemically, or needed bailouts, about once per generation since they were innovated in Marco Polo's time. They failed because borrowers default in high winds, and defaults are magnified tenfold in effects on stockholders' investment. We rebuilt them, and the tenfold leverage, because we blamed the high winds rather than the rickety structure. The Practical Pig knew better.

It began occurring to me in the mid 90s that mutual funds might replace bank deposits, and deal with the tightrope problem too. Too much money burns holes in pockets today because money earns nothing while we hold it. Mutual funds pay returns, and are owned for their own sake. If their shares were somehow money, people would feel no impatience to spend it, and no supply would be too much. I gradually figured out how the obvious problems in fungibility and divisibility and other moneyness qualities could be addressed.

Nobelist Franco Modigliani heard of this, and invited me to MIT for a presentation. He talked like Gepetto in Disney's "Pinocchio". There were a few other top brains, including Ruddiger Dornbusch and2Julio Rotemburg, in the small classroom where I spoke. Sometimes Modigliani interrupted. "Getty, you don'ta consider this." "You forgeta that." I guess I thought I wasn't doing so well.

My talk ended, and he and I were standing by a window. To lighten the mood, I said something about the Red Sox. He said "Getty, I getta papers on banka reform every week. Yours isa the best."

Milton Friedman, another nobelist, had a different take. We had given talks at a Cato Foundation symposium in San Francisco. He hated my idea. No great surprise. He had written that money *ought* to earn nothing so that we wouldn't own too much. Any attempt to back money with anything, he told me, would meet John Law's fate in the Mississippi bubble. The backing commodity would become inflated and then crash. So Nobelists can disagree.

My version of the same idea today looks first to ETFs (exchange traded funds), which are more liquid and money-like than mutual funds. ETFs are usually index funds, which replicate index holdings with no active management and so charge very small expense ratios. But mutual funds might become money too. My idea, dead opposite from Friedman's, is that both money supply and money yield should be held as high as possible.

What would happen to banks? Major angst, but not much damage. They would devolve into their separate deposit and lending specialties, with separate stockholders and only incidental interaction. Deposits would be invested in ETFs or mutual funds. Federal deposit insurance would wither away as unneeded. There are no runs on ETFs. Lending banks would have to raise funds to lend from investors expecting a return.

Is there a downside? There is certainly a risk of one. The devil we don't know is what would happen to lending rates and what the consequences might be. That had been one of Modigliani's points in his interruptions. Federal deposit insurance subsidizes cheap money and keeps lending rates low. Most tradition associates easy money with growth and prosperity. Higher interest rates are associated with restraint in investment and consumption both. Modigliani was right to worry.

My guess is that the bank reform and money reform I propose would drive borrowing costs up, borrowing volume down, and equity investment up to fill the gap. Corporations would issue new stock to retire corporate debt. Newlyweds would rent, not buy, until their incomes were high enough to bring other options.

Modigliani was also worried that monetary policy would become impossible. It would as we know it. I have argued elsewhere that fiscal policy can be made to work as well and as fast. And I will argue for an unusual and more direct form of monetary policy. But no one knows.

These concerns are reasons to go slow. I think that the reforms I describe are developing now, with no input from me, and will continue if they succeed. Depositors will be attracted away from banks to ETF accounts of equal liquidity and full return. Federal deposit insurance will not be advantage enough to hold them. Banks will get the message and join the parade by spinning off their loan departments and investing deposits in ETFs. If Modigliani's valid concerns haven't found good answers, the parade will stop until they do. It could backtrack to the starting point. The reforms I believe in ought to work, but can be scrubbed without much mess if they don't.

I am not their only advocate. Others argue for splitting up commercial banks more or less as I would. Meanwhile many people maintain liquidity in ETFs or mutual funds rather than banks. There may be some originality in putting the two reforms together.

This personal account can end with more thoughts about my father. My stepmother Teddy's touching book about their marriage, out a couple of years ago, tells the truth, the whole truth and nothing but the truth. That what she does. He seems not to have been the easiest guy to be married to. He pinched pennies, went on trips while she held up the home front, came home late. My mother had about the same story. But I saw different sides of him at different times and places.

Twice I saw him cry. Once we were listening to a Caruso record. He might well have heard Caruso, although I don't recall that he said so. He would already have been 28 when Caruso last sang at the Met. One of the two books he wrote by himself shows him as an opera buff when on his own in Germany in the 1930s. He wrote what operas he had heard, who sang, and what he liked. My mother said the same. Once they arrived late at a performance of La Boheme somewhere on the Riviera, couldn't find a program, liked the tenor, decided to help him, and learned that they had failed to recognize Beniamino Gigli.

The other time was about his and Teddy's son Timmy. Timmy's brain tumor was inoperable and growing. He was 13. The doctors had told them to prepare for the worst. We were in London. The papers said something about young toughs called Teddy boys. My father started crying. Timmy wouldn't make it, and the Teddy boys would.

I've now lost a son myself. You thank the graces for what's left to do. What's left to do includes composing, verse and economics. The first has panned out okay. A fair bit of the verse was set in the music. At least that makes it read and heard. Aside from the kind words of Modigliani and a few others, I can't say as much for my economics. So here goes again.

CHAPTER 2: FAST FORWARD

I dropped the course on economics because I couldn't see the foundations. Not that they should be clear from the start. That isn't how the mind works. We see, do and understand in that order. The pyramids rose four thousand years before people like Galileo and Newton found the laws that made them possible. Practice comes first, and science last. Science is abstraction from the particular to the general. It is fewer rules predicting more outcomes more exactly. The pyramid builders knew rules for this kind of stone and that kind of wood or rope. Newton gave rules for mass and force. Those are not particular things like stone and wood and rope. They are qualities of all things. Their rules are tougher to get our minds around, but predict everywhere once we do.

What a book or course should offer from the start, even before the foundations, is an inkling that it should be worth finishing. We have to sense that we're on to something. The price of getting there will be the nuisance of abstraction from things to qualities, and we need to see a reason to pay it. I didn't in the course on economics. Now it's my turn. I'll try a fast forward through free growth theory and my other arguments to give an idea where we're headed and why it matters. The foundations and then the slower tour will follow.

Free Growth

What I call free growth theory will probably count as the chief surprise, at least to non-economists, because the argument and the supporting evidence call for a major reversal in tax policy of this and other nations. But it is not original. John Stuart Mill wrote the same idea in his *Principles of Political Economy* in 1848. I will quote what he said in my Chapter 4. Although *Principles* became a leading textbook for decades, the paragraph I quote seems to have been overlooked. Economic historians including Joseph Schumpeter describe him as a champion of growth through belt-tightening. The paragraph I will quote makes the opposite clear. We now have means to prove his idea. I will show how to test it, and will show test results in charts and tables taking up about 20% of this book. They imply that tax laws encouraging investment over consumption and plowback over dividends, particularly in the last half century, have led to dangerous overinvestment in the private sector. The empty eyesores and bulldozer bills of 2008 are symptoms of pro-investment policies founded in many countries after World War II. They did no harm when the world needed rebuilding anyhow. But I suggest that output growth slowed because of them, not despite them, after 1970 or so. I will argue that optimal investment at the national scale, strange as it sounds, is depreciation plowback and nothing more. Mill showed how that could be true. The same growth will arrive, say he and I and the charts and tables, with no consumption sacrificed. More consumption at no cost to growth adds up to more output. Output nosed down since 1970 or so because we squelched consumption to no purpose.

That means only private sector overinvestment, prompted by unwise tax motives, and only at the collective scale. Government follows different motives, and has somehow followed them to an opposite problem in this country. Our infrastructure rusts and crumbles. It seems that our good friends in the Tea Party think that roads and bridges undercut market freedom.

Growth is interesting, even without these opposite distortions, because history is interesting. Growth is our history. It is not the history of other creatures, who repeat norms from generation to generation once evolved. That's why the math of Hamilton's rule doesn't work. And we care about it because there are emotional and moral and belly issues attached. I gave an idea of its dangers in the foreword. The past has proved survivable. The future has not. Then what about its cost? Does faster growth need consumption restraint at the start? Is it a reward for sacrifice? That's what Mill tried to answer in 1848.

He started with the idea that output, meaning creation of capital, must mean growth of capital ("investment") plus consumption. I will call this the $Y=I+C$ (or $Y=C+I$) equation from the standard notation economists use. I will argue that it is true with two adjustments. Investment must include investment in human capital, and consumption must exclude any schooling or nurture already counted in that investment. (Schooling counts as consumption.) Mill would have understood the human capital concept, defined by Sir William Petty nearly two centuries before, but economists only recently have begun to take it seriously. Mill's meaning of the Y = C + I equation, and the one accepted everywhere in macroeconomics even today, leaves out the growth in human capital and includes all consumption.

That equation, which I will try to prove correct if we make the two adjustments, shows that less consumption brings faster growth if output holds still. But nothing in the equation says it will. It says that less consumption means either more growth or less output. It doesn't say which. John Maynard Keynes, probably the most famous and influential economist of the 20th century, put this fact of math a special way in his *General Theory* of 1936. In his analysis, saving through less consumption is either invested or not. Since output is consumption plus investment, saving uninvested is so much less output. I like to put the same idea with a range of degrees. All saving is invested, as I use the word, but finds different returns. Saving under the mattress is investment at zero return, and drops output just as Keynes said. Investment at the current average return keeps output unchanged. That's what Keynes meant. But investment at lower returns lowers output, and conversely. Keynes' version sees intended saving (consumption restraint) as either invested or not, and sees it as translated dollar for dollar into actual capital growth if it is. Mine allows any degree of capital growth below or above the actual cost of investment in consumption given up.

This is a surprising concept, either in Keynes' version or mine, because it seems to fight personal experience. Until the next raise or job change or layoff, our incomes seem to be known quantities. If we skip desert, and watch TV instead of going to the movies, we can put more in the bank. At least our incomes will not drop *because* we saved those costs. But it is different for all of us collectively. When the whole nation saves, and either does not invest or invests less productively, output drops. Keynes' analysis says the same, but leaves out the "less productively".

My reading of the Mill paragraph says that if we plowed back only depreciation investment, without invading consumption for more, we would still grow if that investment paid off in higher returns than the current norm. Then capital would grow faster without making consumption grow slower. The gain in output, even though we had invested only enough to make up for depreciation while keeping consumption the same, would have been split into some for capital growth and some for more consumption. And Mill gave the reason for the gain in output. The driver was "whatever increases the productive power of labor". He was talking about better ideas. We would make returns higher if we could make capital more productive at the same cost.

This possibility troubled Nobelist Robert Solow, who came reluctantly to a conclusion most of the way toward Mill's a century later. He felt that growth should not be a gratuitous *deux ex machina* arriving at its own whim. How could Mother Nature say "Shazam" and turn less into more whenever new ideas come along? Didn't the capital chicken have to grow before the output egg? Didn't we have to tighten belts to invest in new plant applying those new ideas? But the evidence seemed to say that the rise in output came first. Rise in capital followed. Thrift seemed to play little role. Tests by others have tended to find the same thing since. My own tests, using new data from national accounts and my own new testing method shown in my charts and tables, reduces the role of thrift to zero. How could that be?

How could better kinds of capital arrive without costing more, at least at the start, than the kinds we already knew? My best guess is that the cost of innovation in failure rates and learning curves is the cost of being human, that we pay it about the same every day, and that growth happens when the worth of innovation proves more than the cost. It can because we are human. The cost of being human means the cost of adapting. It is how we cope. We turned in our fangs and fur in exchange for the savvy to make tools and fire and clothing do better. Other creatures adapt too, but we became the specialists. Adaptation grades into innovation whenever it somehow becomes a norm. That too happens with other creatures, but not as often or as lastingly. Their new norms almost always revert to the old ones. Our innovations collect and accrue. That's why growth is our history.

Its costs are failure rates and learning curves. Many innovations are blind alleys, and most others need shakedown runs. But we're stuck with those as the cost of being human. And we're stuck with them whether the result right now is growth or not. They were our cost of survival during our million years as *homo erectus*, when the archeological record shows little overall change in the stone tools we made. Growth and lasting innovation picked up marginally with the emergence of Ancestral Eve and bigger brains about 200,000 years ago, and began accelerating about 50,000 years ago. Growth happened because the more or less constant cost of adaptation and innovation became less than the payoff. New ideas finally found traction at no added cost. Mill's idea was that more payoff in growth need not presuppose more sacrifce.

Does that mean that all we need for growth is new ideas and the courage to trust them? Well, no. We still have to plow back depreciation as the cost of holding even. We need practical savvy and patience too. Sometimes great new ideas must wait for an opening. That may be why our bigger brains showed little effect on the kinds of tools we made until about 50,000 years ago. And I will argue that innovations need laws and customs that welcome them. Otherwise they will make a few bucks for the local warlord rather than wealth for the originator and the world. But what they don't need, say Mill and I and the data, is tighter belts.

Adam Smith, in his *Wealth of Nations* published in 1776, proposed growth by belt tightening. Most tradition has agreed, with the proviso that new ideas must come first. Solow raised doubts about the role of consumption restraint, but stopped short of denying a need for it. Mill acknowledged both ways to grow. My charts and tables will confirm that only the kind that troubled Solow has actually happened, in every country and period tested. I call it free growth. My own free growth theory acknowledges growth by consumption restraint, which I call thrift, only as a mathematical possibility which doesn't seem to happen. So my idea, taking account of data Mill didn't have, is different from his. I must be careful not to put my ideas in his mouth. When I say "Mill's idea", from now on, I will mean some of both.

No one had the data to prove him right until national accounts began reporting market-valued capital in 1990 or so, and reconstructing it for a few decades before. What they had earlier was the book measures of capital that we see in balance sheets. They don't reveal enough. Book measures assume depreciation norms. Outcomes converge to norms over time, but meanwhile might be anything. National accounts follow a form of this book or depreciation accounting. They now report market-valued capital too, but still prefer book methods to calculate investment I and output Y in the Y = C + I equation. That doesn't work well. Did you know that national accounts in France, Germany, U.K. and the United States all reported positive net investment in the crash years 1929, 1930, 1937 and 2008? Net investment, meaning net of depreciation, is intended to show growth in capital value. Do you think values really went up in those crash years? And national accounts can be just as wrong in the opposite direction. In the boom year 1933, when stock markets were up 42%, 67%, 96% and 46% in those four countries, Germany and U.S. reported net investment (capital growth) as negative while France and U.K. reported it up less than half a percent. All this shows in my charts and tables. Reports of net investment in national accounts tend to prove radically wrong in years of unexpected upturn or downturn because they don't get the news of wars or national disasters or discoveries or business cycles until new assets are bought or new products sold. Purchases and sales are normally the only input into the books. Average time between original purchase and realization in sales is the "holding period" or "turnover period" of capital. For all physical capital together, it runs several years. Accounts in those slump years were reporting the good news of boom years shortly before, including the booms of 1935 as well as 1933 preceding the slump year 1937. Accounts in the boom year 1933 were finally getting the news of the crash. (Yes, some of the strongest boom years in history came during the world depression.)

This is not to question the need for national accounts. We could not manage without them. But the genius of accountancy is in its reporting of cash flow items. Depreciation, even its sophisticated form used in national accounts, is a makeshift approximation better than nothing. I argue that it is obsoleted by our access to market-valued capital appearing in the last few decades.

Mill's argument was that capital growth might be explained by productivity gain as well as by thrift in deferred consumption. The way to test between them that I will describe takes measurements of market-valued capital, its year-to-year change in these, and consumption at the same time. I call it the simultaneous rates method. In any year and country where consumption restraint explains growth, although the data show none, rise in growth rate would equal current drop in consumption rate (consumption/capital) while rate of return (output/capital) holds unchanged. When productivity gain is the explanation, as the data confirm so far, it is consumption rate that holds the same while growth rate and return rise equally. That's what I test. Data in charts and tables for those four nations from 1870 through 2010, and from Australia, Canada, Italy and Japan from 1970 through 2010, show that faster capital growth coincides with higher consumption rates in the same year as often as not. Less consumption has simply meant less output with no growth to show for it. That is the sense in which growth is free.

These countries and periods are not cherry-picked to support Mill's idea. They are all I have found. My source for national accounts including market-valued capital was the website of Thomas Piketty and Gabriel Zucman adjusting their data to uniform accounting standards and measuring them in 2010 currency units. It also collects recent and past research by other economists modeling what national accounts, again including accounts of market-valued capital, would have shown in years before they were founded in 1930 or so. Simon Kuznets, for example, who founded the national accounts in the 1920s and reorganized them along Keynesian lines when the *General Theory* was published, reconstructed them back to 1870 for the U.S. economy. Piketty and Zucman incorporate this research and others. They have acted as editors only. As a layman, I would hardly be qualified to find and interpret original sources. Even most economists might lack that specialty. I simply trust Picketty and Zucman. They will have compounded misreadings and editors' bias in those sources by adding their own, and I will have added mine. They and I have plenty. Editing is bias by definition. But we can't do without it. We manage as best we can.

To make sure, I also test Mill's idea on stock market data from the same nations and periods. Here my source was the *Global Financial Data* website marketed by Bloomberg. Market cap corresponds to capital, dividend yield to consumption and total return to output. Charts and tables show free growth as essentially all of growth in stock markets too.

Now try a first look at the charts and tables. The lollipop-shaped Greek letter φ (*phi*) is something I call the free growth index. It reads 1 in years when growth is explained as Mill described, 0 in years when belt-tightening was the explanation, and something in between when there was both. The free growth index will be explained in chapters 4 and 5. The charts can be messy, and the data jumps around. There are spikes, both up and down, which tend to disappear in the charts which screen out small absolute values of the denominator (capital acceleration). But the free growth index clearly jumps around 1, not zero, both before or after the screening. It is as often above 1 as below. That means that growth is as likely to coincide with belt-loosening as belt-tightening. My free website *FreeGrowth&OtherSurprises.org* shows how everything was calculated.

Economists will not be as surprised as they might have been a century ago. Growth theory since Solow's revolutionary papers in 1956 and 1957 has marginalized capital accumulation or thrift, and has seen most growth at the national scale as "exogenous" or unexplained by whatever we suppose that we give up in exchange. This book takes the next step in the same direction. The role of thrift is zero. It is politicians, not economists, who will be flummoxed. The double tax and the tax preference for capital gains are examples of policies favoring investment over consumption to benefit growth. The record shows no such benefit in any country ever. From all evidence so far, free growth theory is free growth fact.

A New Way to Measure

What this book tries to add is not only the next step in Solow's direction. My simultaneous rates method offers a new means of testing. Twentieth century growth theory, led first by Keynes' colleague Sir Roy Harrod and then by Solow, has tried to gauge the effectiveness of consumption restraint by a different method from Mill's and mine. It has looked for effects on later output rather than on current capital growth. I call it the lagged flows method. Why the lag? Because if output is growth of wealth (capital) plus consumption, a shift from the third to the second cannot change output at the same time. Rather output should benefit after a lag of a few years for the capital that produces it to accumulate. Capital investment plants a tree, and output growth is the new fruit expected to follow.

The lagged flow method makes sense, and there was nothing better until data for market-valued capital began appearing in 1990 or so. But the lag tends to blur causality. Later changes in output could have later causes. And output itself, after the lag, could not be measured reliably for lack of the same data. It has been measured as gross or net domestic product, reported as the sum of consumption and *book* investment. Books don't get the news until new assets are bought or new products sold. We just saw the anomalous book results reported for 1929, 1930, 1933 (the opposite distortion), 1937 and 2008. Those are not the only examples. My method measures output as consumption plus change in *market-valued* capital. It seems to me that Piketty and Zucman ought to have shown output this way, at least as an alternative version. Isn't it inconsistent to measure capital at market, but to measure its change (net investment) at book? And isn't it better to measure the effectiveness of thrift with neither the lag nor the well-known problems of book depreciation?

I will show the math of my simultaneous rates method in Chapters 4 and 5. Chapter 4 reasons from the Y = C + I equation, even though I don't accept it, while Chapter 5 translates findings into the new version I do accept. Charts and tables show both versions for all eight countries reported, over all years reported, and run the averages. The thrift index, or ratio of the supposed cost to actual growth, averages zero. I found it best to show separate charts for each country by each of the two versions of the Y = C + I equation and by each of three levels of denominator-screening (none, then two progressively wider screens). Other charts track other data that seemed informative. That explains why charts take up so much of this book.

This completes my first survey of free growth theory and its support in the data. Chapters 4 and 5 will cover the same ground again from new perspectives. So it will be with other themes of this book and other chapters. My problem is to sell unfamiliar ideas, although not necessarily new ones, and in somewhat unfamiliar language too. My "simultaneous rates method", yet to be clarified, is an example. I use the standard language of economics where I can, but must sometimes tweak words or coin them. We will see that in Chapter 3. I try to cope with that double challenge – unusual ideas in unusual terms – by the same strategy of restatement from new perspectives until all fits together.

Fixing the Y = I + C Equation

If I had any sense, I would pretend to accept the Y = I + C equation as Mill and all other economists seem to do. Then I could have done with only half as many charts, and made this a book about free growth only. Any fool knows that a book should pick a focus. The data confirming Mill's idea would have made a spectacular finale. Why undermine my own case by questioning his assumptions? So I should probably have played dumb and quit ahead. But that would have left out half the story and all the other surprises. I confessed that the surprises are the features I can't resist. If they are fun for me, I can accept the challenge of making them fun for the reader. Anyway, I already opened that can of worms by showing that I don't accept the $Y = I + C$ equation even though others do. I gave an idea why, and can sketch my reason out a little farther.

It begins with something I call the total return rule or total return truism. The truism is that creation of value equals growth of value plus cash flow, where cash flow means value taken out less value inserted from outside. I don't think anyone doubts this truism, which is fundamental everywhere every day in the investment world. I will prove it anyhow, just for good measure, in the next chapter. It is probably the reason that the $Y = C + I$ equation is readily accepted. Net investment I is meant to show physical capital growth. It could look to be the growth in value, if we don't consider human capital, and consumption C could look to be the value taken out.

But a second look is needed. The logic doesn't work unless we consider all value including human capital. Some consumption is invested in human capital, and only the rest exits the whole economy in satisfying tastes. Then the equation would still be true if the invested part of consumption equaled human capital growth.

The reason why it doesn't starts with what we already know about human capital. Petty in 1664 had hit on the idea of this as time-discounted future lifetime pay. Adam Smith in 1776 saw it equivalently as accumulated past investment in nurture and schooling. The Americans Irving Fisher and Frank Knight revived both ideas in the early 20th century. The tempo picked up after World War II at the University of Chicago. Jacob Mincer rederived Fisher's present value equation in 1958, and modeled investment in human capital through job training. Nobelists Theodore Schultz and Gary Becker soon joined in. New insights included the realization that human capital grows from the self-invested work of learning, as well as the outside input of nurture and schooling, and then depreciates gradually to zero just as buildings do. Yoram Ben-Porath combined these ideas and more in a masterly life-cycle model published in 1967. We'll get to it soon.

Schultz called the part of consumption exhausted in taste satisfaction "pure consumption". The part invested in human capital was "pure investment". I change that to "invested consumption" to avoid confusion with investment in physical capital. Since there is no settled term for the part of work invested in learning, I call it "self-invested work". I call the part of work sold for pay "realized work". Then the consensus view formed in the 1960s held that human capital growth equals invested consumption plus self-invested work less human depreciation. I agree, with a clarification as to possible deadweight loss that I'll come to in Chapter 6. I call it the Ben-Porath equation, although he drew it from the Schultz-led consensus. It is really a summary of the first four of the equations in his 1967 paper taken together.

This explains my critique of the Y = I + C equation. The equation would be true if human capital growth equaled invested consumption. In fact it equals that plus self-invested work less human depreciation. The corrected equation would read "output equals consumption plus investment plus self-invested work less human depreciation". I call this the "Y rule".

Upending the Y = I + C equation is big news. Macroeconomics and the national accounts are founded on it. That's one reason, although not the main one, why I think that macroeconomics should start over. It doesn't follow that national accounts in themselves need much change, aside from reporting net investment at market as well as at book, because accountants must measure what they can. Human depreciation and self-invested work elude market measurement. But economists can allow for them, and they are huge flows. Human depreciation is depreciation of the larger factor. And self-invested work includes more than learning. Ben-Porath showed, as we will see, that it equals all growth in human capital not explained by inflows of nurture and schooling less outflows in human depreciation. That implies that it includes all free growth of the larger factor. And these huge flows would figure to be uncorrelated. Depreciation of either factor is a steady drag on growth, while free growth is revealed in the charts and tables as a bucking bronco which might be double-digit positive one year and double-digit negative the next. No wonder that national accounts cannot reliably tell good years from bad.

Another distortion in the $Y = I + C$ equation is the undue prominence given to consumption. Physical capital, in most views including mine, is only a third to a fifth of total including human capital. Human capital is the lion's share. Pure consumption is most of consumption, in my view, but not all of consumption. If the factors grow in mutual proportion, then, the ratio of total capital growth to pure consumption will be much higher than of net investment to all of consumption. That explains, I think, why national accounts have reported not a single year of negative net product in any of the eight countries since inception. Balanced portfolios report negative total returns every few years. So would net product, were it not dominated artificially by the steady positive of consumption. It is as if a portfolio dominated by investment grade bonds were taken as representative of a realistically balanced portfolio.

Solving the Age-Wage Puzzle

I will now try to solve a feature that troubled Ben-Porath and has troubled many economists since. I call it the age-wage puzzle. Age-wage profiles are published reports comparing pay earned by all working ages at the same time. Since all cohorts (same-age sets) are compared at once, as in a family portrait, age-wage profiles do not show effects of technological growth over time. They show effects of age and experience alone. What appears is that pay or wage rises steadily until retirement or near it. Meanwhile human capital is present value of remaining lifetime pay, and shrinks steadily as approaching retirement and mortality leaves fewer future paydays to discount. Most students of human capital including Ben-Porath reason that self-investment must end when time left for recovery in higher future pay runs out. So do I. The puzzle is how pay could rise while human capital shrinks smoothly to zero.

This would not be a puzzle if we were speaking of oil wells whose oil might continue to be pumped out at a steady or even rising rate until the well ran dry. We are puzzled because pay is generally believed to equal and compensate work. Work means the output of human capital. How could less capital steadily produce more output, meaning creation as distinct from depletion of value, particularly if some work is self-invested rather than marketed for pay? That would imply exponentially rising productivity, meaning rate of return, and rising to infinity at the end.

Think about it. Strictly speaking, human capital is present value of future pay less spending on future childhood nurture plus textbooks or tuition or job training (collectively called "schooling" by Mincer) invested in human capital. Ben-Porath knew that, as had others before, but reasoned that investment in anything must stop when not enough time remains for recovery. I think so too. And I argue anyhow, from observation rather than logic, that invested nurture and schooling substantially end when we enter the full-time job market sometime in our twenties. Then human capital in adulthood is essentially present value of expected pay, or even less if Ben-Porath and I are wrong and nurture or schooling continues to the end. When only a year of pay is left ahead of us, human capital at most is time-discounted present value of one year's pay. When one day is left, it is at most present value of one day's pay. Yet age-wage profiles show pay (wage) holding level, or even rising, as human capital grades smoothly to zero. This is the famous age-wage puzzle. I'll flesh out the same thought experiment later in what I call the parable of the boss and her secretary.

Economists have recently proposed solutions which I see as farfetched. Possibilities that human capital indeed grows more productive with age, or depreciates all at once, seem implausible in each case and cannot begin to explain enough. I think Becker hinted at the answer in 1964. Becker pointed out that job training at the employers' expense is part of investment in human capital, and reasoned that employers won't pay it unless they expect eventual recovery with interest.

What Becker stopped short of saying is that the same is true of any investment in anything by anyone. When we invest for our own benefit, we expect recovery by ourselves. When we invest for the sake of others, we expect recovery by them. Recovery means recovery of depreciation. Our parents would not have invested in our human capital without expected recovery of our human depreciation by us, and the young further invest the work of learning in themselves because they expect that to be recovered with interest as well.

There is another proof which I call the deadweight loss rule. Capital of any kind is present value of cash flow, meaning expected realizations in transfer or taste satisfaction. Deadweight loss means decapitalization with neither. It follows that deadweight loss, although a common reality, is implicitly unexpected. But human depreciation, like plant depreciation, is expected from first investment. That rules out deadweight loss, and makes human depreciation *expected* as cash flow by elimination of alternatives.

Each proof is sufficient. The first expresses what I call the maximand rule: we maximize risk-adjusted rate of return. Robert Turgot observed this in 1766. I'll say more about that in the next chapter. It takes little thought to realize that maximizing risk-adjusted return begins with recovery of investment, and that this means recovery of depreciation or amortization. We *are* depleted like the oil well, although we create value too. The second proof needs only the assumption that human depreciation is foreseen. It adds the specification that human depreciation is realized in human cash flow. That turns out to mean that it is realized in pay. The solution to the age-wage puzzle is that pay does not equal and compensate realized work above. It compensates that plus human depreciation. I call this the "pay rule".

The pay rule joins free growth theory and the Y rule as the three major surprises promised in my title. Recovery of human depreciation in pay changes a lot of equations. It does not impact public policy and tax laws as radically as free growth theory, but I will argue that it impacts them enough. Even if it didn't, it is probably the most startling assertion in this book from an economist's viewpoint. And although I now know better than to claim originality for any idea in economics, this one just might pass the test. If someone out there knows a precedent closer than Becker's, as I eventually found ones for what I had thought were my own free growth and next generation theories, all the more fun in finding those unsuspected precursors. (Next generation theory will be outlined soon.) And the two proofs leave no doubt. I will add a few more as we go. It is never overkill to drive another stake through the heart of entrenched misperception. Meanwhile we can already be as sure of that expected recovery, not actual recovery, as of anything we know. The arguments from the maximand rule (Turgot's insight) and the deadweight loss rule are unanswerable.

An analogy from something else we all know leads to the rest of my argument. Pay over working careers is something like payments over the period of a declining-balance mortgage. Mortgage payments are partly amortization and partly interest. Amortization is like depreciation, although without the same sense of physical wear and tear behind it, and interest is like the worker's output marketed to employers. The declining balance is like human capital. Mortgage payments are almost all interest at the start of the loan, when the declining balance is almost the whole loan amount, and then gradually less interest and more amortization as the balance shrinks. As the balance approaches zero at the end, the payment approaches all amortization while the interest share approaches zero.

My depreciation theory, which we'll come to soon, argues that depreciation follows the same logic and the same math. I will argue, in the face of what has seemed to be contrary evidence, that depreciation of both factors begins at zero and grows exponentially to become all of cash flow at the end. This completes the explanation of age-wage profiles as we see them. Pay is all human depreciation at the end.

What I Thought Once

Chapter 6 will compare accounting for human capital to accounting for a firm. Pay, in this analogy, is the worker's revenue. The firm deducts outside operating costs of labor and supplies to leave gross realized output. The analogy for human capital would be maintenance consumption enabling life and activity. But I don't deduct this in reaching the workers' gross realized output (gross realized work) because I take it as part of the net output we intend in itself rather than a cost in return for what we intend. I see adult consumption as mainly Schultz' pure consumption exhausted from the universe of capital, including human capital, in satisfying our taste for adult survival.

Opinion is divided here. Some economists have treated the maintenance consumption that keeps workers going as new investment in human capital for the sake of higher pay in future. Some in the 18th century expensed it, like maintenance in the firm, as a cost recovered in keeping up the worker's revenue (pay) now, rather than invested for later. I did that for years. I now treat it as recovered neither in pay now nor pay later. Even though we couldn't earn without it, I count it in pure consumption exhausted in satisfying tastes for survival.

When I thought it was recovered in pay and work products, up to about five years ago, I realized that human depreciation could not also be. There would be nothing left for pure consumption except Mill's "unproductive consumption" neither replacing nor maintaining human capital. That would stand biology on its head. Biology is precisely about replacing and maintaining us. Unproductive consumption, for which there seem to be parallels in other species, is something biology has yet to justify. It cannot be the *unique* taste satisfaction that behavior reveals.

I found a solution that seemed to make sense then. It was the exact opposite of what I think now. If maintenance consumption were recovered in pay and work products, as I now think human depreciation but not maintenance consumption is, then human depreciation instead of maintenance consumption could be exhausted in taste satisfaction! That seemed less macabre to me then. I looked for ways in which human depreciation, hardly the biological end in itself, could somehow be its measure. It was not unreasonable, I thought, to interpret human depreciation in aging as the cost of survival. The old gag says that aging is not so bad when you think about the alternative. Age-wage profiles could be explained, I thought then, as recovery of maintenance consumption rather than of human depreciation in pay. And I had those precedents from the 18th century. I knew that Francois Quesnay and the physiocrats, in Adam Smith's time, had argued too that consumption could be recovered in earnings. Mill could be interpreted that way, in his definition of "productive consumption", as could Piero Sraffa in a paper from 1960. I thought I was on the right track.

What brought me to my senses was the thought experiment about a boss and her secretary I mentioned earlier. Picture them together at the beginning of the last year of human capital for each. The boss earns ten times as much. Human capital for each is one year's pay, or even less in the unlikely case that invested consumption continues to the end, less one year's discount. If pay measured work, rate of return (work/human capital) would be something over 100% per year for each. It would be even more in the unlikely case that some work remains unrealized (self-invested) until the end. Yet their time preferences measured by return to their other investments, say securities, is less than a tenth as much. This already states pretty clearly that pay covers more than work.

In case there was doubt, go on to the beginning of the last day. Age-wage profiles show that pay for each is about what it was a year before. Rate of return to each is now a little over 100% per *day*. At the beginning of the last second, it is a little over 100% per *second*. At the end of the last second it is infinite. Yet the securities in their portfolios are chosen for returns no higher and riskier than the year before. They will tend in fact to be lower, judging from logic and evidence for a decline in risk tolerance with age.

Then what besides work is recovered in pay? The two possibilities I was weighing were maintenance consumption and human depreciation. The winner was obvious. The higher-paid usually consume more, but not always and not in proportion. The fact that we must generally be paid enough to cover consumption does not imply that we are paid to consume. We are motivated to do that anyhow. We are paid to apply skills, and are paid in proportion to skills applied. Human capital is skill sets. Pay measures its transfer to products, whether in realized work currently created or from capital in place through human depreciation.

That's how I came to the pay rule. We see why it ought to startle economists. Macroeconomic tradition teaches the doctrine that wage measures work, and teaches it so confidently that it uses the notation W for either. Human capital tradition recognizes that some work is self-invested, but effectively treats human depreciation as deadweight loss. That's why I use "pay" in place of the more usual "wage".

Refuting a Piketty Argument

There are practical uses for the pay rule aside from solution of the age-wage problem. These are the impact on tax laws and public policy that I promised. Piketty has shown correctly that the ratio of pay to net profit rose substantially during the world wars, world depression and welfare state period following, and has declined since. Piketty argues for higher capital taxes in consequence. His argument follows tradition in comparing pay and net profit as the shares of workers and investors in income. But tradition is wrong. Pay is the worker's gross realized income, meaning gross of human depreciation. Depreciation, for either factor, is a steadier flow. This makes gross output for either less responsive to upturns and downturns. It is a particularly high share of realized income or output in hard times when dislocation of both factors (human and physical capital) drives net output down. Comparison between net income and gross realized income can mislead. Piketty is right about the data, but wrong about its interpretation.

Depreciation Theory

This is the explanation I promised when I said that depreciation is essentially like amortization. Accounting tends to practice straight-line depreciation over standard depreciation periods. A well-known refinement, allowed but not much practiced in business, is called current cost accounting. The idea is to correct distortions due to past inflation. The problem is that books reflect long-term assets and their depreciation at original cost at date of booking. Current cost accounting adjusts both to the equivalent in current dollars. It shows both net worth and depreciation as higher if prices inflated since booking, or lower if prices deflated. That seems to make sense.

A further adjustment called replacement cost accounting does the same, but also replaces linear depreciation with a curve believed more realistic. National accounts adopt this method. It is sound in principle. But they shape the curve in the wrong direction. They rely on records of actual sales of plant to model depreciation as steep initially and slower later. I suggest that this record is misleading.

My starting point is that value of any capital is discounted cash flow. To keep things simple at first, suppose that cash flow in constant dollars is expected to hold steady for fifty years before asset life ends. Also suppose a constant time discount rate.

Present value at the outset is fifty years of discounted cash flow. At the beginning of the second year, it is 49 years present value of the same cash flow at the same discount rate. All that has been lost is present value of the 50th and most-discounted year. At the start of the third year, capital has dropped again by present value of the 49th and second-most discounted year. So it continues until the end as the discount period approaches zero. Depreciation increases absolutely each year, and increases even faster in ratio to capital.

What I have just modeled is depreciation rising exponentially from zero at the start to a maximum at the end. National accounts show the exact opposite. They show it decreasing exponentially from a maximum at the start. The reason for the difference is instructive. I would rather trust the present value formula to show what assets are worth subjectively to their owners. The national accounts prefer to trust evidence as to what they are worth to others if sold. That's a solid method too if the evidence is likely to prove representative. It isn't in cases where transactions are more likely to have been driven by pressure to sell than pressure to buy. Plant is generally tailored to purposes of its first owner, and not meant to be resold. Plant sales tend to follow disappointing results. These are likelier to come early as business plans are first tested. That could explain why evidence without logic has suggested that depreciation tends to start fast and slow down with time.

I would recommend that national accounts continue tracking actual sales as an indicator of true depreciation curves, but limit the study to rental buildings expected from the start to be resold several times. I mean apartment buildings, office buildings and warehouses designed along standard lines. Many investors specialize in buying and selling these tradable assets for portfolio purposes. Pressure to buy and pressure to sell tend to balance.

I can testify that prices bid for them are found either by discounted cash flow or internal rate of return (IRR) methods. IRR is a variant of the same thing. A bid price is modeled as the original negative cash flow in evaluating the proposed purchase. Then the positive cash flows at each year's end are modeled, and the discount rate found which nets present value of all flows together to zero. If this rate is judged competitive, the purchase goes ahead. This method was originated by Keynes in the *General Theory* as his "marginal product of capital".

And I repeat that most other structures are not meant to be resold. Productive plant is customized to original owners. Tract housing is not, but becomes adapted to them. Original plant operators and homeowners typically expect to stay put. Most do. When they do, their own valuations are higher than would likely be realized in sale. Owners' valuations matter. Economics is more than prediction of sales prices. It is prediction of behavior. It is the owner's valuation of an asset, not a hypothetical outside valuation, that predicts what he will do to exploit and defend it.

My depreciation theory does not jolt settled belief as forcibly as free growth theory or the pay rule and Y rule do. It contradicts only a minor feature of the national accounts. But it contradicts that diametrically, and adds clarity to the pay rule too. It is also original as far as I know. Who has said such a thing before? All the more fun and satisfaction in finding out and setting the record straight. There are giants out there, whether I ever make it to their shoulders or not, and economic history means identifying them.

Retirement Theory

Retirement generally means the period or first moment when people end the careers for which their training has been specialized. The reason is typically not diminished skills and performance just yet, as age-wage profiles show no little or no drop in pay toward the end. I think it is more that we and our bosses see the drop coming.

Literal pay is typically zero in retirement. Instead we earn imputed pay for taking care of ourselves and one another, and for driving the grandkids to the zoo. These services are tangible, not psychic, in that they save the hire of others to do the same. The imputed pay is what the others would have charged. But it typically is not enough to meet our consumption needs. Retirees must typically draw down savings or depend on "social transfer payments", meaning support from government or family or foundations, to make ends meet.

It seems that these infusions from savings or gift cannot be interpreted as invested consumption to be recovered with interest later, but are rather pure consumption recovered now in the satisfaction of survival. Then human cash flow, or pay less invested consumption, remains positive to the end if we recognize imputed pay. Economists should, I think, because it figures into predicting behavior as much as literal pay. So does psychic pay.

It follows that human capital, meaning present value of all pay in the absence of invested consumption to deduct, continues after retirement. That shows that my parable of the boss and her secretary is oversimplified. Parables tend to be. The secretary may happen to have better skills as a full-time caregiver, which both she and the boss will figure to be in retirement, and so may reverse the disparity in human capital then. All models, I guess, assume *ceteris paribus* (other things equal).

My retirement theory leaves much unexplained. It tries to throw a little light here and there. I believe it achieves some surprise, and even originality until we know better, in my argument that human capital continues after retirement. Yet this follows directly from Ben-Porath. Invested consumption must end when time for recovery runs out, whether or not I am right in ending it with job entry decades before, and human capital must last as long as literal or imputed pay does. The endurance of human capital through to mortality is not logical certitude, but need not be doubted either.

Retouching the Ben-Porath Model

Ben-Porath's life cycle model seems right enough in all features but one. Equations in his 1967 paper imply that pay measures realized work alone. This should be adjusted to show the pay rule. I would also model invested consumption as ending at independence, or a few months later to allow for initial job training. That does not contradict Ben-Porath, who leaves such a possibility open. I would further apply depreciation theory to model human depreciation as growing from a negligible share of pay at first employment to substantially all of pay at the end.

My model is the same as Ben-Porath's from birth to independence. All consumption and all work are invested, for modeling purposes, until schooling ends at full-time job entry. I model this transition at age 20. Pay, realized work, human depreciation and pure consumption all begin at that point, although human depreciation begins at essentially zero.

Self-invested work continues as an important but diminishing share of work until late in careers, just as in Ben-Porath. I differ from him mildly in that I model all adult consumption as pure consumption. Ben-Porath allows adult invested consumption without assuming it. I regard it as real but negligible. Age-wage profiles are explained by self-invested work and depreciation theory alone.

I model this self-invested work as subliminal accumulation of job experience. My reason is personal observation. What I have seen in plants and offices is people working full time on the job. We don't take time off to learn. Experience simply arrives, much as free growth does. I think that my view on this contradicts Ben-Porath's marginally. He seems to allow some such allocation of time to help explain age-wage profiles.

Next comes retirement. I model this as just shown. Later I will expand this model to include acquisition and disposal of physical capital too. The combined model will give most of the math and mechanics of next generation theory.

Risk Theory

For practical purposes, economic risk is usually measured as expected standard deviation in rate of return. Safer assets vary less from their return norms. Short-term treasuries are thought safest because they combine fixed nominal return with fast liquidity in case inflation threatens. The market overall bids safer expected outputs up and riskier ones down. Since asset value is the denominator in rate of return, and output the numerator, the effect is make risker assets higher in return.

Risk tolerance might be anything in any individual. As a norm, it tends to be a function of age, gender and wealth. Effects of age and gender are better understood. Teens and young adults, particularly males, seem readiest to take chances. Prison populations and medal of honor rolls feature young males. Part of the explanation, I think, is biologist R. A. Fisher's sex ratio theory of 1930, or equally Bob Trivers' differential investment theory of 1971. Young males show greatest variance in reproductive prospects. Females are almost always assured of a few offspring. Young males might leave none or many. Nature arranges tournaments or displays to give fitter males the advantage.

Another reason is that the young, of either sex, have most time left to outride downswings. The older we get, the more risk-averse.

Some businesses and assets are inherently riskier than others. Nerf balls are safer than hand grenades. But I prefer to look past the asset owned to the owner. We tend to own assets suited to our risk preferences. And we tend to operate it as safely or riskily as we like. That is true particularly of human capital, although it was first designed according to our parents' goals rather than ours. Human capital is probably the most versatile asset, even so, and is adapted to our purposes rather than theirs. We make it as risky as we choose. The risk-averse can become florists or Trappists. Risk lovers can try bullfighting or skydiving. What does that tell us about the relative risk of the factors?

Human capital is owned disproportionately by the young. We own very little physical capital, legally or in practical effect, until maturity. Pay at first is barely enough for survival. We accumulate it gradually as pay rises with age, and then deplete it in provision for the young and in our own retirement. Since physical capital is owned disproportionately by the older and more risk-averse, and human capital the contrary, human capital figures to be higher on average in risk and return.

There is another useful inference. Adults own assets in the business and housing sectors. Older adults tend more to own debt claims on these sectors, and younger adults to own equity claims. But all adult ages collectively own both sectors collectively. It does not follow that the sectors are equal in risk, as older individuals might tend to own one sector predominantly, and younger ones the other. As a layman, I don't really know.

What I happen to know is that the publicly traded corporate sector, meaning stocks particularly but also bonds, is far more liquid than the housing sector, and that the rest of the business sector is far less liquid than either. Risk in general includes liquidity risk. This leads me to the hypothesis or hunch that the housing sector in general should be safer than the business sector, *ceteris paribus*, but that the publicly traded corporate sector, cap-weighting debt and equity claims on it, may be safest of all.

The idea that stocks and bonds cap-weighted are safer than houses might have been laughed to scorn a few years ago. It doesn't seem so funny after 2008. I view it as an idea to be tested, not trusted, until more is known. If it holds up, it will rank as another surprise.

The effect of individual wealth on risk tolerance is less understood. Here I judge more from hunch and impression than from data. Given that human needs are fairly uniform, as with the private and the general, more wealth gives more insulation from want. Talent is wealth in human capital, and gives the same. Less, in either factor, gives less margin for error. My hunch and impression is that the wealthier in either factor should tend to be more risk tolerant so long as human capital itself is not put in harm's way. Human capital operates physical capital, and gives the means of recovery. The wealthier, in talent or net worth, should prove the least tempted toward sky diving and Russian roulette.

In this book I will usually be modeling risk and return at the collective scale or at the cohort one. A cohort means the set of all same-aged individuals. It turns out that the ratio of females to males tends to rise with each older cohort, for reasons Bob Trivers explains, as does wealth up to a point. But in cohort analysis, both effects (wealth and sex ratio) are incorporated into effects of cohort age. That will simplify modeling.

My risk theory is another example of what looks to be surprise and novelty until shown otherwise. The unusual idea lies in projecting the owner's time preference/return rate onto the asset rather than conversely. Thus all the owner's assets of both factors are selected or modified to fit her current risk profile. This would count her liquid securities portfolio, cap weighted, as a single asset. All other assets are too illiquid for practical rebalancing. We own the assets best suited to our risk profiles, if for no better reason than that we wouldn't be the winning bidders for any others if we wanted them. As our risk profiles evolve with age, we modify or trade them. We will tend to have anticipated this need, and to have factored modification or trading costs into our bid price. It turns out that this interpretation can simplify the math of present value and present cost.

It helps in supporting the pay rule, and explaining age-wage profiles, by rebutting a hypothesis, sometimes argued, that productivity of human capital might rise with age. Productivity, rate of return and time preference rate all mean the same. My risk theory argues that we know a cohort's risk tolerance from the return to its cap-weighted securities portfolio as a whole. All other assets of the same cohort, including human capital, will tend to agree with it in return. Return to security portfolios tends to be transparent. It declines with adult cohort age. I infer that return to human capital does the same.

My risk theory and depreciation theory together add a finishing touch to the pay rule. The key supporting evidence is age-wage profiles. Depreciation theory offers solid logic, in the face of apparent contrary data, that pay is all human depreciation at the end. Risk theory reinforces that impression by adding that the contribution of productivity in the form of realized work/human capital actually declines. One cannot pound too many stakes through the heart of the doctrine that pay compensates realized work alone.

Next Generation Theory

I also treat rate of return. This combined free growth theory with insights of Petty in 1662 and William Stanley Jevons in 1871. Petty's idea was that each generation passes the baton to the next. Our investment horizon is the generation length. Its reciprocal, or one over that period, gives our time preference rate. Jevons also saw time preference as the reciprocal of the period of production, but did not connect that to the generation length. I adjust Petty's estimate of the length from his 21 years to 28.5 by allowing for later births as well as firstborns. The reciprocal is 3.5% per year. I add free growth as an exogenous and unspecified variable.

As with Mill and free growth theory, I have to walk a fine line between crediting Petty and putting my ideas in his mouth. Petty dictated his books and pamphlets, and is not always clear. My idea, probably but not certainly the same as his, is that each generation invests everything in the next in trust that it will do the same. All our capital of both factors, although Petty spoke only of a cornfield, is exhausted in putting the next generation in place. The time horizon to get this done is the generation length.

This 28.5 years, as I model it, becomes Jevons' "period of production". Its reciprocal, meaning one over it, gives rate of return. The idea of a period of production whose reciprocal gave rate of return had begun with Rae in 1934, if you don't count Petty, and passed through Nassau Senior to Jevons and Boehm Bawerk. All assumed growthlessness for simplicity. Return is growth rate plus cash flow rate. It simplifies to the pure consumption rate at the collective scale. All these men, even Petty, were really modeling the pure consumption rate. 28.5 years gives the period of replication, in my view, or period of production if there were no growth.

Free growth then arrives at its whim, like a *deus ex machina*, without calling for more than this steady effort of replication. I find myself focusing more and more on that cash flow component of rate of return, or pure consumption rate at the collective scale, as the part we can predict and model.

The generation length is a biological norm which probably has not varied by more than a factor of two since Ancestral Eve some 200,000 year ago. This suggests that next generation theory can be tested against data from any period. Meanwhile it predicts only at the collective scale. Collective return is average risk return. Subtract collective growth rate to leave cash flow rate. Return and growth are two of the most closely measured rates in economics. That says that tests of next generation theory should be practical. I will show tables broadly in support.

Next generation theory is a blockbuster. An explanation of interest and return has been the Holy Grail of capital theory. Boehm Bawerk contributed a big advance by revealing return as an artifact of time preference rather than the other way around. Some including Irving Fisher have seen that beautiful insight as enough.

Not me. What explains and quantifies time preference? What turned out to be Petty's idea occurred to me about 40 years ago, when I first took an interest in evolutionary biology. My friend Alan Rogers, a population geneticist I didn't know all the time, was thinking in the same direction. His two published papers on this are in my appendix. Neither of us knew about Petty's priority.

The idea would have been a still bigger blockbuster before the wall came down. Wars were being fought about whether return has any legitimacy at all. Karl Marx, ironically a champion of Petty, may have missed his argument on that.

Petty's idea is really the biological imperative I discussed in Chapter 1. The first priority is survival and reproduction. I will argue that this was implicitly accepted throughout economic history until new insights now summarized as the marginalist revolution began in 1871. The marginalists, mentioned in the forward, swapped the telescope for the microscope. They left aside the grand teleologies of Smith and Ricardo and Mill and Marx to refocus on the mechanics of choice. Reasons for tastes or choices were treated as irrelevant. By 1900 or so, the marginalists had given us microeconomics much as we know it today. A century would pass before bioeconomics took form in response to Hamilton's rule.

Summary

That gives the outline. It is a layman's view of what a proper economist might not have attempted. Fools rush in. I will cite sources in economics and biology not to pretend that I am an authority, but to give real ones a chance to check. My case rests on the charts and tables. Mill might have been astonished to find that the kind of growth he described is the only kind to appear in the record.

What makes my book different, aside from my lack of credentials, is the surprises and the unusual degree of abstraction leading to them. Not many writers try to follow a chain of inference as far without the comforting touch of the stone and wood and rope. If Becker had been as venturesome, he might well have solved the age-wage problem in 1964. I see no other path. Economics is all inside. It is tastes expressed in choices. Capital is foreseen satisfactions discounted by whatever our taste for impatience is. Most of it is human capital leaving little market record beyond its rental cost in pay. Logic is about all we have left.

But the story cannot end in thin air. Few would pay the nuisance cost of so much abstraction without prospect of surprising and testable prediction. I will try to deliver that. Mill's idea is a surprise to politicians, if less so to economists, and could hardly be tested more thoroughly and successfully. When new ideas are thought up, Mother Nature says "Shazam" and embodies them at no cost beyond the depreciation plowback we needed anyway. The data could not be more supportive if Mill and I had invented them. Even my proposed solution to the age-wage problem, which must have seemed hopelessly stuck in subjectivity, paid off finally in that solution and in a refutation of Piketty's argument. Risk theory and depreciation theory, each surprising enough, reinforced that solution and the pay rule. I said nothing in the this chapter about bank reform because I covered that in Chapter 1.

Predictions of behavior can work because tastes converge to market equilibria. What stands behind the convergence, I argue, is biology selecting tastes that maintain and reproduce us. The idea that we act out the biological imperative is clear in Petty and Malthus, and in the equilibrium wage theory of Adam Smith and David Ricardo, where pay converges to the level preserving the work force. But if I say everything about that now, I will have nothing to say later.

CHAPTER 3: FOUNDATIONS

Historically, foundations and science itself emerge at the end of centuries of practical application. A logical place for foundations in textbooks is the beginning. So it was with Halliday and Resnick on physics, which began with Newton's kinetics (motion in time and space) and then this three laws. Only in the last chapter did the authors remind us that Einstein later put two of these three into question, and even the kinetics. Halliday and Resnick reasoned, correctly I think, that we sometimes learn more efficiently by learning something slightly wrong first and fixing it later. I will do that, in a sense, by reasoning first through free growth theory as if the Y = C + I equation were true, and then again with the two corrections. The sometimes counterintuitive logic of teaching and learning, including that, is "heuristics".

Building on explicit axioms was common in economics throughout the classical period running from Petty in the 17th century through Mill in the 19th. Then came the major shift in focus, beginning in 1871, called the marginalist revolution. What mattered was less our goals, and more the market mechanisms that aligned supply, demand and price. The meeting point was the margin. Axioms about goals disappeared, including the usual one of prioritizing survival and reproduction, and axioms kept were usually left implicit. The implicit ones, essential to marginalism in my view, included convergent tastes and predictions. I will make those two and others explicit, and eventually add back the goals.

This book on the whole is about second-guessing what is taught. This chapter is different. The nearest thing to a surprise in it is the idea that economics *needs* explicit foundations in the sense of axioms and basic definitions and equations. All the ones I choose are well accepted. Why I pick which should seem obvious in hindsight. But some mini-surprises will accumulate. Why do I take such pains to prove every feature of what everyone accepts already? Why all the boilerplate and bulletproofing? I need them because I will later try to shoot down other beliefs everyone accepts. We must know what is sound to find what is not.

Another mini-surprise is the physics-like care in definitions. The reason is that my arguments later will drive logic pretty far. Logic needs words that are like algeraic symbols in meaning the same thing all along.

Figuratively and literally, foundations are groundwork. They will be less a chore if you love logic. And you'd better if you're going to like the later chapters. Let's get started.

Orientation

Economics itself, I think, is a quantitative rationale of choices. Psychology is a sister study not explicitly quantitative, and accounting for subliminal behavior as well as deliberate choices. The two fields cooperate and overlap. Economics is quantitative in that it asks how much as well as what, and focuses on numbers. It is science-like in that it looks for surprising and testable predictions in the end. It is philosophy-like in that choices are subjective and that the larger factor, human capital, leaves little market evidence from which to reason upward. Both facts put the burden on reasoning downward from axioms.

Much of the evidence for both factors, meaning physical and human capital, comes from the records of literal markets where we rent and hire and buy and sell. Most economics looked no further until Gary Becker and others expanded the boundaries about 50 years ago. The expansion made sense. A rationale of choices in literal markets alone is a silly concept. It is silly to acknowledge only choices that ring cash registers. We are the same people everywhere. Logic is the same everywhere. We have little interest in axioms that aren't the same everywhere. Becker was right to see choices in marriage and even crime as predictable in terms of supply and demand and price.

That includes psychic price. Once we follow Becker past literal markets, we accept psychic value and yield. We must anyhow. Value is in the mind. Economics works as a rationale of choices, hence values, because human nature leads minds to converge. The literal market adds a measure. When we step outside it, we make do without the measure and trust logic alone.

A Diamond Ring Parable

I like a picture of a diamond ring to show something about psychic value and yield, and even about what output and exhaust in consumption are. The ring brings psychic yield to its wearer. If it didn't, it would have no value. Its yield is each psychic satisfaction, and its value sums all time-discounted prospective ones together. Value therefore drops just a little as each yield is finally realized. It is as with apples dropping from a tree. Yet the ring is inert. It ostensibly produces nothing. It also keeps all its value as a ring from day to day. Then where does the outflow of the value in the exhaust come from? How can value go out if none was deducted and none produced? In the tree, we can see the apples growing and falling. The answer is that some value *was* produced in the ring, and some deducted too.

What we didn't notice was the constant shortening of remaining discount periods. As each day passes, each future yield comes one day closer. These are the apples slowly ripening on the tree. Present value of each rises because the discount period covers less time. This creation of value is output by definition, even though nothing has moved but the hands of the clock. As the discount period reaches zero, the expected yield eventuates to explain the taste satisfaction. These yields are the apples falling to be eaten. The ring holds its value intact because the exhaust of value it surrendered has exactly offset the output of replacement value as time alone shortens discount periods. Yet not an atom stirred.

The whole point is that the value of the ring or anything else is discounted present value of foreseen satisfactions. They are discounted because there is such a thing as "time preference"; we value satisfactions now over foreseen ones later. This is not quite the same as the difference between birds in the hand and birds in the bush. That says that we value certainties over probabilities. Time preference also values present certainties over future certainties. The reason is studied in a branch of economics called “capital theory”. My next generation theory, really Petty’s of 1662, proposes what the average-risk time discount rate is and why. Present value of each expected instant of future satisfaction grows at that rate as time shortens the discount period. It disappears, as apples from the tree, when expectation matures into reality.

This diamond ring parable is full of useful lessons. I think it contains substantially all of economics. “Consider the lilies of the field.” “They also serve who only stand and wait.” A chemist would testify that the ring has done nothing. An economist sees plenty happening. Economics is abstraction. Physical capital is not things, and human capital is not people. It’s all in the mind. What an economist sees is present value evolving with time as expectations ripen and eventuate. Output is not what we do, although it has to do with what we do. It is the passage of time. Exhaust is the fruition of time and the harvest reaped.

Only when we allow psychic values can we say that all behavior is economic behavior. It is choices among alternatives. That’s what makes economics philosophy.

Axioms

Then what should its axioms be? We would like empirical or real-world certainties. I find none beyond Descarte’s *cogito*. Philosophy is certain of next to nothing. We settle for working assumptions. We want ones as safe and few as possible. Those of economics have usually been left implicit since the marginalist revolution. I dropped the course because I felt their need. It should do no harm, at this point, to risk the opposite extreme. Let’s try putting everything on the table.

My first axiom, in that spirit, will be unguided natural causality. This need not alarm the devout. It is the working assumption of all science. Working assumptions are not creeds. I cannot rule out the possibility of occasional or even continuous intervention by God to explain what we see. But we know to act as if we ruled it out when our science hats are on. Even philosophy, in the Western tradition, leaves revelation aside. A practical consideration is that debates of how God is likely to be motivated to intercede have tended to find little consensus or traction. Science gets some.

I tipped my hand on my own views in Chapter 1. As chairman of the Leakey Foundation for more than 40 years, I pretty clearly buy evolution theory and unguided natural casualty as working assumptions. But I invite those who don't to read further before deciding that we will disagree on conclusions. If I foresaw a conflict with the devout, which I don't, I would feel obligated to warn them now. I'll bring this up again as we go along.

My next few axioms, lumped together, are a mortal and reproducing population which competes, cooperates and freelances to act on convergent predictions. It acts to satisfy convergent tastes in a world of limited resources. I will model the population as human, although other species would do insofar as my axioms hold for them. "Convergent" means non-identical from individual to individual or place to place or moment to moment, but converging to norms with increasing scale in space and time. Predictions converge to outcomes as well as to one another.

The point is that tastes and predictions must be convergent enough for markets to form and hold. A market, as Becker knew, is where anyone makes any choice among alternatives. A literal market is where a choice leaves a quantitative record. Markets cannot form and hold if we cannot predict where to find them and what they supply and when they are open. They cannot form and hold without some consensus that what we predict they will offer includes something we want. Clothing stores can work because our sizes and shapes fall mostly within standard ranges. Their business would be in trouble if we did not agree in number and rough placement of arms and legs and head. Restaurants can work because we can find what we want on a finite menu. Most crucially, clothing stores and restaurants cannot hold unless there is consensus on what their wares are worth in return. All this convergence